

NOTICE

At a Regular Rochester Hills City Council Meeting held at the City of Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Oakland County, Michigan on Monday, December 14, 2020:

Present: President Ryan Deel, Members David Blair, Susan Bowyer, Dale Hetrick, Stephanie Morita, Theresa Mungiola and David Walker

QUORUM PRESENT

MOTION BY Morita, seconded by Walker that **Ordinance No. 625** an Ordinance to Amend Sections 110-171, 110-203; 110-316 AND 110-372 OF Chapter 110, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify and supplement fees charged for various City Services, and to repeal conflicting ordinances.

BE AND IS HEREBY ADOPTED and shall become effective on Monday, December 21, 2020, following its publication in the Oakland Press.

Ayes: Blair, Bowyer, Deel, Hetrick, Morita, Mungiola and Walker

Nays: None

Absent: None

MOTION CARRIED

ORDINANCE NO. 625

AN ORDINANCE TO AMEND SECTIONS 110-171, 110-203; 110-316 AND 110-372 OF CHAPTER 110, FEES, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO MODIFY AND SUPPLEMENT FEES CHARGED FOR VARIOUS CITY SERVICES, AND TO REPEAL CONFLICTING ORDINANCES.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Section 110-171 of Chapter 110 of the Code of Ordinances of the City of Rochester Hills shall be amended as follows:

Sec. 110-171. – Subdivision plan and plat reviews.

Fees for the review of preliminary and final plats and open space plans and the other requirement of article III of chapter 122, such as the cost of street trees, shall be calculated to defray the administration, planning, engineering and legal expenses incurred thereby. All

CODIFIED ORDINANCE NO. 625

fees and charges must be paid at the time indicated in this article. The fees shall be as follows for the following departments and reviews:

(1) *Building department.*

- a. Charge for each review, \$85.00 per hour.
 - 1. Minimum escrow deposit prior to review, \$250.00.

(2) *Department of public services.*

- a. Prepreliminary: minimum fee of \$800.00 up to ten acres plus \$75.00 per acre or fraction thereof up to a maximum fee of \$2,500.00.
- b. Tentative-preliminary: minimum fee of \$950.00 up to ten acres plus \$95.00 per acre or fraction thereof up to a maximum fee of \$3,500.00.
- c. Final-preliminary: minimum fee of \$500.00 up to ten acres plus \$45.00 per acre or fraction thereof up to a maximum fee of \$1,800.00.
- d. Final plat: minimum fee of \$1,800.00 plus \$95.00 per acre or fraction thereof.

(3) *Planning department.*

- a. Concept review:
 - 1. First meeting: no fee.
 - 2. Second and each additional meeting: \$250.00.
- b. Tentative-preliminary:
 - 1. Regular plan: \$900.00 plus \$10.00 per lot.
 - 2. Open space option: an additional \$500.00.
- c. Final-preliminary: \$600.00 plus \$10.00 per lot.
- d. Final plat: \$600.00 plus \$10.00 per lot.
- e. Internal review, consultation and/or field inspection:
 - 1. If service(s) conducted by city staff, service shall be charged at a rate of \$85.00 per hour.
 - 2. If outside consultants are employed to conduct planning reviews, consultations and/or inspections, the fee will be equivalent to the city's cost for such consultant services.

CODIFIED ORDINANCE NO. 625

- f. In addition, there shall be a charge of 50% of the full review fee for the third and each subsequent review.
- (4) *Fire department.* Charge for each review, \$85.00 per hour (one hour minimum).
- (5) *Administrative charges.* Twenty percent of the sum of the fees in subsections (1) through (3) of this section shall be an administrative fee. The minimum shall be \$100.00.
- (6) *Legal document review.* For the legal review of deeds, easements, restrictive covenants, maintenance agreements, or other legal documents, the applicant shall be charged a fee corresponding to the city's cost for legal services.

Section 2. Section 110-203 of Chapter 110 of the Code of Ordinances of the City of Rochester Hills shall be amended as follows:

Sec. 110-203. – Public services department; city engineer.

The fees for the public services department and city engineer related to one-family residential detached condominiums shall be as follows:

- (1) Preliminary plan: minimum of \$950.00 up to ten acres plus \$95.00 per acre for each acre in excess of ten acres. The maximum charge shall be \$3,500.00.
- (2) Final plan: minimum of \$500.00 up to ten acres plus \$45.00 per acre for each acre in excess of ten acres. The maximum charge shall be \$1,800.00.
- (3) Master deed and exhibits: minimum of \$700.00 up to ten acres plus \$35.00 per acre (no maximum).
- (4) Charge for steep slope analysis, if applicable. Charge will be applied to platted and unplatted parcels in accordance with section 138-1082. Department of public services, \$85.00 per hour.

Section 3. Section 110-316 of Chapter 110 of the Code of Ordinances of the City of Rochester Hills shall be amended as follows:

Sec. 110-316. – Wetland and watercourse permits

- (a) The fees for wetland and watercourse use permits pursuant to article IV of chapter 126 pertaining to wetland and watercourse protection shall be charged for the following:
 - (1) Wetland and watercourse determination: consultant investigation and inspection.
 - (2) Use permit: consultant plan review, investigation, and inspection.

CODIFIED ORDINANCE NO. 625

(b) There shall be charges for and an escrow deposit made at the time of application to pay for the cost of city-retained consultants for investigation, plan review, ~~and~~ inspection services, and notice expense, ~~and city administration costs shall be~~ as follows:

- (1) For a parcel two acres in size or less:~~\$500~~750.00
- (2) For a parcel two acres to five acres in size:1,000.00
- (3) For a parcel greater than five acres in size:1,500.00

(4) The ~~An~~ administrative cost ~~shall be an amount~~ equal to 20 percent ~~of~~shall be added to the total consultant charges ~~or \$100.00, whichever is greater. The minimum escrow deposit shall be \$300.00 listed above.~~

(5) The charges listed above are required to begin the wetland and watercourse determination. Actual fees will vary depending on the individual site conditions and additional fees may be necessary to complete the determination to cover the costs of the city's consultants.

Section 4. Section 110-372 of Chapter 110 of the Code of Ordinances of the City of Rochester Hills shall be amended as follows:

Sec. 110-372. – Department of public services.

The fees for department of public services reviews and inspections pursuant to article III of chapter 130 pertaining to unplatted land development shall be as follows:

- (1) *Site plans.*
 - a. Up to ten acres.....\$1,100.00
 - b. Over ten acres..... 1,100.00
plus \$90.00 per acre or fraction thereof over ten acres
 - c. Steep slope analysis, per hour.....85.00

(2) *Construction plan review fee.* The review fee shall be based on the estimate, as determined by the department of public services, of the projected construction costs for retention/detention facilities, public or private roads, water mains, sanitary sewers, storm sewers and pathways. Charges for the first two reviews shall be based on the dollar amount of work to be done according to the following schedule:

Construction Costs	Percentage	Minimum Fee
\$0.00 to \$50,000.00	3.75	\$ 750.00
\$50,000.00 to \$100,000.00	3.25	2,200.00

CODIFIED ORDINANCE NO. 625

\$100,000.00 to \$1,000,000.00	1.75	3,750.00
Over \$1,000,000.00	1.25	18,750.00

In addition, there shall be an hourly surcharge for the third and each subsequent review, as set forth in subsection (4) of this section.

- a. If consultant engineering personnel are used to conduct construction plan review, one-quarter percent of the fee will be retained by the city.
- (3) *Off-site improvements.* Charges for review shall be based on the dollar amount of the work to be done, according to the above schedule.
- (4) *Construction engineering services.* Construction engineering services fees shall be as follows:
 - a. *Review, consultation, inspection fees.*
 - 1. Per-hour charge, \$7585.00.
 - 2. There shall be a minimum four-hour charge for cancellations without prior notification to the city of \$300.00.

If consultant engineering personnel are employed to conduct construction consultations, and/or inspections, the fees will be equivalent to the city's cost for such consultant employment plus a 20 percent city administrative fee.

- b. *Escrow for services fees.* There shall be an escrow account established for review, consultation, and inspection fees before work is commenced based on the construction contract amount according to the following schedule:

Construction Contract Amount	Percentage Amount of Deposit	Minimum Fee
Up to \$50,000.00	10	\$2,300.00
\$50,000.00 to \$100,000.00	7	5,000.00
Over \$100,000.00	5	7,000.00

- c. *Private road escrow deposit.* For private roads, there shall be an escrow deposit made based on the cost of grading, gravel, paving, curbing, shoulders and ditching according to the above schedule.
- d. *Administrative charges.* Twenty percent of the sum of the fees or escrow deposits, as set forth in this subsection shall be added to such fees or deposits as an engineering administrative fee; however, such fee shall not be less than \$100.00.

CODIFIED ORDINANCE NO. 625

Section 5. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 6. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on December 21, 2020, following its publication in the *Oakland Press* on December 20, 2020.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on December 14, 2020.

Bryan K. Barnett, Mayor
City of Rochester Hills

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF ON DECEMBER 14, 2020.

Tina Barton, Clerk
City of Rochester Hills

Accepted for First Reading: 12/7/2020
CW: 12/14/2020