

**ORDINANCE #484**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YACOLT ADOPTING A FEE SCHEDULE FOR BUILDING SERVICES AND ESTABLISHING FEES FOR SPECIFIC BUILDING PERMIT APPLICATIONS, DEVELOPMENT PLAN REVIEW AND INSPECTION COSTS; AMENDING SECTIONS 16 & 18D OF ORDINANCE #371; REPEALING ORDINANCE #439; AND ESTABLISHING AN EFFECTIVE DATE.**

Whereas, the Town Council of Yacolt, Washington, is in regular session this 6<sup>th</sup> day of September, 2011;

Whereas, the Town of Yacolt has conducted a review of Washington jurisdictions' fees and fee structures for recovering costs associated with the review of building permit applications and related building services;

Whereas, it is the desire of the Town Council to charge sufficient fees to cover the actual costs to the Town of processing such applications and providing related services;

Whereas, the Town of Yacolt has determined that the building services fee schedule herein will enable the Town to recover the actual costs of processing the specified applications while ensuring that the fees are fair and equitable for the wide range of applications likely to be submitted to the Town for processing;

Whereas, it is the desire of the Town Council to reduce the number of ordinances on the subject of building permit fees; and,

Whereas, each member of the Town Council has had notice of the time, place and purpose of this meeting:

**NOW THEREFORE, be it Ordained by the Town Council of the Town of Yacolt, Washington:**

Section 1 - Amendment of Section 16 of Ordinance #371.

Section 16 of Ordinance #371 of the Town of Yacolt, adopted February 3, 1997, is hereby amended to read as follows:

**SECTION 16: CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMIT**

**A. Initial application for a building permit** shall be made to the Town Clerk on a form supplied by the Town. An initial application shall be considered by the Town Council. Following approval of an initial building permit application by the Town

Council, the Mayor shall consider issuance of a certification of compliance with zoning and other pertinent local regulations. The initial building permit application filed with the Town and the zoning certification of compliance shall be submitted to the Clark County Building Division by the applicant. The applicant shall provide the County with any additional required information on forms provided by the County. No construction shall be undertaken on the project in question until such date stated on the building permit for the project issued by the County.

**B. Minor construction** may be determined to be exempt from a building permit, following the submission of an application to the Town Clerk on forms provided by the Town and approval of such application by the Mayor. Construction exempt from a building permit is that which total value as determined in section 304 (b) of the Building Code or as otherwise documented by the applicant does not exceed fifteen hundred dollars (\$1,500) and a contractor is not involved; or the construction of any fence: PROVIDED that the construction or alteration does not involve any engineered structural components, or reduce existing egress, light, air and ventilation, or include electrical, plumbing or mechanical fixtures whose installation requires a licensed contractor. This exemption shall not otherwise exempt the construction or alteration from the substantive standards of the codes enumerated in RCW 19.27.031 as amended and maintained by the State Building Code Council under RCW 19.27.031.

**C. Emergency Construction** may be undertaken prior to consideration of a building permit application by the Town Council and prior to submitting documents to the Clark County Building Division upon approval by the Mayor or the Mayor's designee. Application for emergency construction shall be made to the Town Clerk on a form supplied by the Town. Situations justifying emergency construction may include conditions which substantially endanger or impair the health or safety of the occupant(s), or deprive the occupant(s) of hot or cold water, heat, or electricity, or are imminently hazardous to life. Applicants applying for permission to proceed with emergency construction under this sub-section remain subject to the requirement to promptly apply for a building permit through the Town, to file with the Clark County Building Division, and to pay any fees or charges otherwise due. This exemption shall not otherwise exempt the construction or alteration from the substantive standards of the codes enumerated in RCW 19.27.031 as amended and maintained by the State Building Code Council under RCW 19.27.031.

Section 2 - Amendment of Section 18D of Ordinance #371.

Section 18D of Ordinance #371 of the Town of Yacolt, adopted February 3, 1997, is hereby amended to read as follows:

- D. FEES DESIGNATED.** The following filing fees are established:
- 1. Building Services Fees.**
    - a. Building Permit Application Fee Schedule.** Building permit application fees shall be based on valuation and shall be assessed in accordance with the following table:

<u>Total Valuation</u>	<u>Fee</u>
\$1.00 - \$1,500	\$10.00.
\$1,501 - \$20,000	\$10.00 for the first \$1,500.00 plus \$4.00 for each additional \$1,000 or fraction thereof, to and including \$20,000.
\$20,001- \$50,000	\$84.00 for the first \$20,000 plus \$3.75 for each additional \$1,000 or fraction thereof to and including \$50,000.
\$50,001– \$100,000	\$196.50 for the first \$50,000 plus \$3.50 for each additional \$1,000 or fraction thereof to and including \$100,000.
\$100,001 – \$250,000	\$371.50 for the first \$100,000 plus \$3.25 for each additional \$1,000 or fraction thereof to and including \$250,000.
\$250,001- and up	\$859.00 for the first \$250,000 plus \$3.00 for each additional \$1,000 or fraction thereof.

**b. Excavation Permit Fee.** Residents must contact Locate prior to being issued an Excavation Permit. Once the Town of Yacolt has received confirmation that Locate services have been obtained, the Excavation Permit can be issued. A standard fee of \$25.00 will be charged for an Excavation Permit.

**c. Other Inspection Fees.**

1. A Plan Review Fee of 25% of the permit fee shall be assessed for all applications requiring review.
  2. A re-inspection fee of \$25.00 will be charged for each additional inspection required.
  3. Inspections completed outside of normal business hours will be charged a surcharge of \$23.50 per hour.
2. Comprehensive plan amendments or zone changes initiated by property owner(s): \$500.
  3. Development, site plan and conditional use review:
    - a. Residential: \$150 per lot. (Short plat and subdivisions).
    - b. Non-Residential: \$250 per lot.
    - c. Development and Plan Review.
      - 1). A development, site plan, and conditional use applicant shall reimburse the Town of Yacolt for the Town's direct expenses to review an application and to inspect infrastructure improvements associated with an application in excess of the application fee

based on the actual costs of the review and inspection. Direct costs include fees for the Town hearings process and Town consultants, and extraordinary expenses or commitments of Town staff or material resources. The Town shall advise an applicant when the Town's direct costs are reasonably likely to exceed the application fee, and the estimated amount in excess of the fee.

- 2). A development, site plan, and conditional use applicant shall enter into a written "Agreement To Pay Outside Professional Review Expenses Related To Land Use Application" with the Town of Yacolt once the application has been determined to be technically correct.
4. Variance: \$250.
5. Conditional Use Permit: \$250.
6. Home occupation / business: \$150.
7. Temporary dwelling permit: \$150.
8. Floodplain permit: \$150.
9. Other: \$150.

#### Section 3 – Repeal of Ordinance #439.

Ordinance #439 of the Town of Yacolt, adopted September 6, 2005, entitled "An Ordinance Relating to Development Plan Review and Inspection Costs" is hereby repealed.

#### Section 4 - Savings Clause.

All terms of Ordinance #371, as amended, and Ordinance #439, as amended, shall remain in full force and effect until the effective date of this Ordinance #484. As of and following the effective date of this Ordinance #484, the remaining terms of Ordinance #371 shall remain in full force and effect as amended hereby.

#### Section 5 – Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, the remaining portion of this Ordinance shall remain in full force and effect.

#### Section 6 - Effective Date.

This Ordinance shall take effect on November 1, 2011, following publication of the following summary, according to law.

#### Town of Yacolt - Summary of Ordinance #484

The Town Council of the Town of Yacolt adopted Ordinance #484 at its regularly scheduled Town Council meeting held on September 6, 2011. The content of the Ordinance is summarized in its title as follows:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YACOLT  
ADOPTING A FEE SCHEDULE FOR BUILDING SERVICES AND  
ESTABLISHING FEES FOR SPECIFIC BUILDING PERMIT APPLICATIONS,

DEVELOPMENT PLAN REVIEW AND INSPECTION COSTS; AMENDING SECTIONS 16 & 18D OF ORDINANCE #371; REPEALING ORDINANCE #439; AND ESTABLISHING AN EFFECTIVE DATE. The effective date of the Ordinance is November 1, 2011.

A copy of the full text of the Ordinance will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

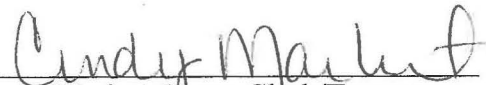
Published this 14<sup>th</sup> day of September, 2011.  
Cindy Marbut, Town Clerk/Treasurer

**PASSED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 6<sup>th</sup> day of September, 2011.**

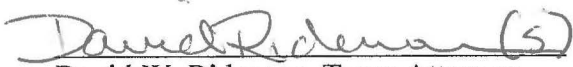
**TOWN OF YACOLT**

  
James Weldon, Mayor

**Attest:**

  
Cindy Marbut, Town Clerk/Treasurer

Approved as to Form:

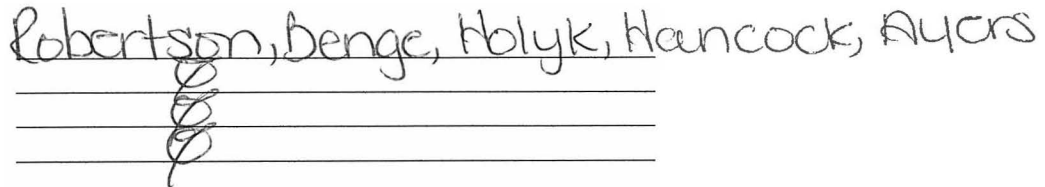
  
David W. Ridenour, Town Attorney

Ayes:

Nays:

Absent:

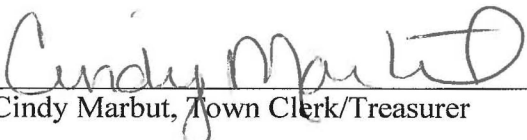
Abstain:



**TOWN CLERK'S CERTIFICATION**

I hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance #484 of the Town of Yacolt, Washington, entitled "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YACOLT ADOPTING A FEE SCHEDULE FOR BUILDING SERVICES AND ESTABLISHING FEES FOR SPECIFIC BUILDING PERMIT APPLICATIONS, DEVELOPMENT PLAN REVIEW AND INSPECTION COSTS; AMENDING SECTIONS 16 & 18D OF ORDINANCE #371; REPEALING ORDINANCE #439; AND ESTABLISHING AN EFFECTIVE DATE", as approved according to law by the Town Council on the date therein mentioned. The Ordinance has been published or posted according to law.

Attest:

  
Cindy Marbut, Town Clerk/Treasurer

Published: 9/13/11  
Effective Date: NOV. 1, 2011  
Ordinance Number: 484