

**ORDINANCE NO. 123-2021**

**TITLE: AMENDING BARBERTON CODIFIED ORDINANCES  
CHAPTER 1444 - PERMITS AND FEES**

**AN ORDINANCE AMENDING SECTION 1444.15 “GENERAL PERMIT FEES” (ORDINANCE NO. 147-2020), AND DECLARING AN EMERGENCY.**

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Barberton, State of Ohio:

**SECTION 1.** That Council hereby amends 1444.15 “General Permit Fees” by showing said amendments with a ~~strike through~~ for any deletions and **bold** for any additions to read as follows:

**1444.15 GENERAL PERMIT FEES**

(A) No permit for which a fee is required by this Building Code shall be issued until the applicant for the permit has paid to the Building Commissioner, or to the person otherwise designated by this Building Code, the fees hereinafter prescribed. Fees shall be calculated to the nearest \$1.

(B) Each applicant for a permit shall make a sworn statement or affirmation, in writing, setting forth, in accordance with a bona fide estimate, the total value of the proposed building, structure, addition, alteration, repair, or installation, including the cost of any and all plumbing, electrical, heating and other mechanical equipment, devices, appliances, materials and the like, which will be incorporated therein, and also the value of all labor, regardless of who is to do the work or make the installations.

(C) (1) The fee for a permit for a new building, structure, appliance or installation; the fee for a permit for an addition, alteration or repair to an existing building, structure, appliance or installation; the fee for a permit to move or raze a building or structure; the fee for a special inspection; and penalties for non-compliance, shall be the amounts stated or determined as follows:

ADDITIONS, ALTERATIONS, REPAIRS AND FOUNDATIONS	
Certificate of occupancy	\$100
Commercial, industrial and multi-family	\$225 min. base or \$0.08 per sq. ft.
Decks, front porches	Front porches greater than 60 sq. ft. require a roof and fee shall be as pro in the entry for “one-, two- and three family residential”
Fences, retaining walls over 3 feet high	
Solid	\$50
Decorative	\$25
Repair or replace (less than 50%)	\$15
Foundation or shell only	
Commercial	\$160, plus new structure fee
Residential	\$30, plus new structure fee
Meter re-attachment inspection fee	\$15
Minor alteration or repair (commercial) \$1,000 or less	\$100
Minor alteration or repair (residential), to include front stoops, \$500 or less	\$45
One-, two- and three-family residential	\$150 min. base or \$0.05 per sq. ft.
Re-siding, re-covering or re-roof (non-structural)	\$60

Residential garages	\$115 (max. 770 sq. ft.)
Storage shed or barns - residential less than 144 sq. ft.	\$50
Swimming pools	
Residential	\$55
Commercial	\$500
<b>COMMERCIAL, INDUSTRIAL AND MULTI-FAMILY</b>	
New structure	\$500 min. base or \$0.05 per sq. ft.
<b>ONE-, TWO- AND THREE-FAMILY RESIDENTIAL OCCUPANCIES</b>	
New dwellings	\$300 - 2,000 sq. ft. or less
	\$335 over 2,000 sq. ft.
<b>PERMIT RENEWAL FEE</b>	
<b>Residential</b>	<b>\$50</b>
<b>Non-Residential</b>	<b>\$100</b>
<b>RESIDENTIAL PROCESSING FEE</b>	
<b>New homes and additions</b>	<b>\$50</b>
<b>Accessories Structures</b>	<b>\$25</b>
<b>Structural Alterations</b>	<b>\$25</b>

(2) Any structures, additions, unclassified buildings or unspecified construction shall have fees provided in the table's entry for "one-, two- and three-family residential" for residential and the entry for "commercial, industrial and multi-family" for commercial.

(3) The fee for a permit to erect, re-erect, alter, repair, place, replace, hang, rehang, locate, relocate or in any manner display or redisplay a sign or outdoor advertising display shall be based on the total superficial area (including moldings and capping's) as follows:

All signs requiring a permit per the Development Code	\$2.50 per sq. ft.
Awnings, canopies and marquees (except residential)	\$100, plus any signage
Billboards and advertising displays	\$350 annual fee per billboard

(4) The fees for examination of plans for the use groups applicable to the Ohio Building Code shall be as follows: (All plan review fees shall be paid at the time of permit application.)

Type of Construction Documents	Processing Fee	Plan Examination Fee
Automatic sprinkler and other fire suppression systems	\$200 <b>\$250</b>	\$4.50/100 sq. ft. gross area of each floor level
Electrical	\$200 <b>\$250</b>	\$4.50/100 sq. ft. gross area of each floor level
Fire alarm systems	\$200 <b>\$250</b>	\$4.50 per device
Industrialized unit	\$150 <b>\$200</b>	\$1.30/100 sq. ft. gross area of each floor level
Mechanical	\$200 <b>\$250</b>	\$4.50/100 sq. ft. gross area of each floor level
Plumbing	\$200 <b>\$250</b>	\$4.50/100 sq. ft. gross area of each floor level
Structural	\$200 <b>\$250</b>	\$7.50/100 sq. ft. gross area of each floor level

**NOTES TO TABLE:**

Fees for all residential plan reviews are included in the cost of the permits. Zoning plan review for residential and commercial are included in the cost of the permits. Zoning site plan reviews for commercial projects: \$150

(5) The fee for a reinspection shall be \$35 per additional trip and must be paid in advance.

(6) In addition to all of the above fees, an inspection shall be made at other than normal hours (8:00 a.m. to 4:30 p.m., Monday through Friday) when requested by an owner or contractor during normal hours and when deemed necessary by the Commissioner for efficient and effective construction of such project, provided that a minimum fee of \$30 is paid in advance for each inspection requested.

(7) Owner, tenant or agent requested inspections not resulting from any construction: fees for this inspection must accompany the request and are as follows:

Building or structure inspection	\$30
Code and use inspection	\$30
Electrical inspection/re-energize	\$50
Heating inspection (does not include smoke testing of furnaces)	\$30
Plumbing inspection	\$30
<b>NOTES TO TABLE:</b> Exception: An owner-occupied or tenant-occupied single-family or single unit inspection may be requested without a fee.	

(8) All fees for permits to be charged by virtue of any section of this Building Code, either in its present or amended form, shall be subject to an increase of 200% if the work for which the permit is required is commenced before the permit is issued or the written consent of the Building Commissioner is procured, which increase shall be collected by the Commissioner before the issuance of such permit.

(9) Nothing in this section shall be construed to repeal or modify any other section of this Building Code providing for penalties, and the penalty provided herein shall be in addition to any other penalties.

(10) (a) Moving buildings on or over public streets or alleys; prohibitions and penalty. To move a building from one location to another on or across a public street or public alley, a fee shall be paid to the Director of Public Service as follows:

Any residential detached garage	\$500
Any residential dwelling (less than 2 stories)	\$500
Any structure over 2 stories (plus special approval from Safety Director)	\$500
If temporary utility location required	\$250
Miscellaneous oversized load (special approval and coordination from Safety Director)	\$100
Residential (for 3 or more days)	\$50
Waste receptacle/yard dumpster in public way (special approval and coordination from Safety Director) non-residential use	\$100

(b) For all buildings over two stories, the fee shall be fixed by resolution of Council in each case. In addition to the fee mentioned above for moving a building on or over a public street or public alley, there shall be a charge of \$500 for each day over two days that the building remains an obstruction on any public street or public alley, which amount shall be paid to the Director. There shall also be filed with the Director a bond in the amount of \$100,000 before the moving of such building by the permittee. The conditions of such bond shall be that the owner of the building and the person, firm or corporation actually carrying out the work of moving the building shall comply with all the general laws of the state and with the city ordinances in the moving of the building; and, further that, they will indemnify and keep the city harmless from all damages, liabilities, claims, losses, costs or judgments made or rendered against or suffered by the city because of such moving operations. However, in lieu of the bond, a public liability and property damage insurance policy, issued by a solvent insurance company, in the amount of \$1,000,000 may be deposited with the Director; provided that, the city shall be indemnified by reason of any losses sustained by reason of the liability imposed by law upon the city on account of such moving operations, and that the moving contractor shall also be responsible and pay for all damage caused to the streets, overhead wires, trees and other objects which may be lawfully placed or which lawfully exist near the streets.

(c) No person shall knowingly make or cause to be made, either directly or indirectly or through any agency whatsoever, any false or fraudulent statement, or knowingly fail to disclose information to the city or any of its officers, agents, employees or departments, with the intent that such statement or omission shall be relied upon to cause the issuance of a building or moving permit for the construction, alteration or relocation of any building or structure adjacent to the right-of-way limits of any limited or controlled-access highway project, grade separation project or other highway project. Whoever violates or assists in the violation of any provision of this division (C) (10) shall be fined not less than \$100, nor more than \$500, or imprisoned not more than 90 days, or both. In addition to the above mentioned fee for moving a building on or across a public street or public alley, a permit fee shall be paid to the Division of Building Inspection as

follows: for a foundation with no basement at the new location for buildings moved over a public street or alley, the fee shall be as provided herein. When a basement is to be provided at the new location, the fee for the new basement, including the foundation, shall be at the same rate as is provided herein.

(11) The fee to raze a building shall be \$25 for a residential garage, \$80 per 2,000 square feet for one- and two-family dwellings, and \$50 for each 2,000 square feet, or fraction thereof, of the total floor area of all other buildings. The floor area of every story, except the basement, using outside dimensions, shall be additive. A separate permit shall be required for each separate building.

(12) The fee for a permit to erect or re-erect a tent shall be based on the ground area covered by the tent and shall be as follows: ~~\$50.~~

<b>Residential over 400 square feet</b>	<b>\$50</b>
<b>Commercial</b>	<b>\$100</b>

**SECTION 2.** That is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

**SECTOIN 3.** That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, for the reason that this transfer can be made in a timely manner and before the end of the year, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed \_\_\_\_\_ 2021

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved \_\_\_\_\_ 2021

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Mayor