

## **ORDINANCE 21-001**

### **AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE TOWN OF KINGSTON SPRINGS MUNICIPAL CODE, ZONING ORDINANCE, SIGN ORDINANCE, AND OTHER ORDINANCES AND RESOLUTIONS TO PROVIDE FOR A COMPREHENSIVE LIST OF FEES TO BE SET FORTH IN APPENDIX A TO THE TOWN OF KINGSTON SPRINGS MUNICIPAL CODE**

**WHEREAS**, by ordinance and by resolution, the Town of Kingston Springs Board of Commissioners has, over the course of years, previously adopted certain fees relative to planning, zoning, construction, permitting, grading, excavation, and improvement of real property as codified in various places in the Town of Kingston Springs Municipal Code, the Town of Kingston Springs Zoning Ordinance, the Town of Kingston Springs Sign Ordinance (Ordinance No. 05-012), Ordinance 04-009, Resolution No. 14-007 and Resolution 20-006; and

**WHEREAS**, the wide number of locations within the Town records, ordinances, and Code in which such fees have been adopted and instituted creates difficulty and confusion in determining and assessing the correct fees for the various activities for which applicants request approval from the Town; and

**WHEREAS**, the Town of Kingston Springs Board of Commissioners desires to create a simplified and easily accessible record of such fees as are to be collected upon application for Town approval of certain activities related to property, and accordingly, the Board of Commissioners desires to amend and or repeal certain of its previous resolutions and ordinances to effectuate its intent.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF KINGSTON SPRINGS, TENNESSEE, THAT:**

1. Title 12, Chapter One, Section 103 (1) of the Town of Kingston Springs Municipal Code shall be deleted in its entirety and the following substituted in lieu thereof:

12-103 (1) For all new structures erected, either built on site or off site, or to be constructed or placed, as well as structures or buildings to be altered, repaired, remodeled, used and occupied or any appurtenance connected or attached to any building or structure, or construction requiring improvements for which an inspection is required in this chapter, or for construction or placement of accessory structures, demolition of structures, connections of driveways to a structure connecting to a public street, installation of swimming pools, retaining walls, certain fences, temporary use structures, moving of structures, site preparation requiring grading, excavation or blasting, a permit as required will be issued by the town's building inspector upon payment of the sums according to a permit fee schedule as set and established by the Board of Commissioners in Appendix A to the Town of Kingston Springs Municipal Code, as

amended by the Board of Commissioners from time to time.

2. Title 18, Chapter 1, Section 18-111 (3) of the Town of Kingston Springs Municipal Code shall be deleted in its entirety and the following substituted in lieu thereof:

18-111 (3) Fees for applications for discharge. Upon completion of a customer application and service agreement form requesting to obtain wastewater treatment facilities services from the municipality for residential or commercial users, the prospective user must pay the town an application and service fee. The application fee to be paid by a user is an application and service fee and is not a security deposit and is not refundable. Such application and service fee shall be set and established by the Board of Commissioners in Appendix A to the Town of Kingston Springs Municipal Code, as amended by the Board of Commissioners from time to time. If, for any reason, a customer does not take the service by reason of not occupying the premises to be served, or otherwise, said fee shall be forfeited. The receipt of a prospective customer's application for service shall not obligate the town to render the service applied for. If the service applied for cannot be supplied by the municipality, the liability of the municipality to the applicant for such service shall be limited to a refund of any portion of the privilege fees, as applicable in § 18-113. Should a user have a lapse of service for a period of more than thirty (30) days because of non-payment of a billing, said user shall reapply for service, as aforestated, including payment of another application and service fee.

3. The last sentence of Title 18, Chapter 1, Section 18-111 (4) of the Town of Kingston Springs Municipal Code shall be deleted in its entirety and the following substituted in lieu thereof:

"The inspection fee and tapping fee due from the applicant shall be set and established by the Board of Commissioners in Appendix A to the Town of Kingston Springs Municipal Code, as amended by the Board of Commissioners from time to time."

4. Title 18, Chapter 1, Section 18-111 (7) of the Town of Kingston Springs Municipal Code shall be deleted in its entirety and the following substituted in lieu thereof:

18-111(7) Industrial wastewater discharge permit fees. A fee may be charged for the issuance of an industrial wastewater discharge permit in accordance with § 18-106 of this chapter. Such fee shall be set and established by the Board of Commissioners in Appendix A to the Town of Kingston Springs Municipal Code, as amended by the Board of Commissioners from time to time.

5. Appendix A of the Town of Kingston Springs Municipal Code shall be deleted in its entirety and the attached Fee Schedule shall be substituted in lieu thereof.

6. Article VIII, Section 8.030 B. of the Town of Kingston Springs Zoning Ordinance shall be deleted in its entirety and the following substituted in lieu thereof:

B. Fee:

The Town of Kingston Springs Board of Commissioners shall establish a schedule of fees and collection procedure for applicants for Building Permits. The schedule of fees due pursuant to this Section shall be as set forth in Appendix A to the Town of Kingston Springs Municipal Code, as amended by the Board of Commissioners from time to time, and shall be posted in the office of the Building Inspector and City Hall. No action may be taken on any application until the appropriate fee has been paid in full.

7. Article VIII, Section 8.060 B. of the Town of Kingston Springs Zoning Ordinance shall be deleted in its entirety and the following substituted in lieu thereof:

B. Fee:

The Town of Kingston Springs Board of Commissioners shall establish a schedule of fees and collection procedure for the partial review and processing of each application for a special exception, except that the fee shall be waived for a governmental agency. The fees due pursuant to this Section shall be as set forth in Appendix A to the Town of Kingston Springs Municipal Code, as amended by the Board of Commissioners from time to time.

8. Article VIII, Section 8.070 C. of the Town of Kingston Springs Zoning Ordinance shall be amended by adding the following to the end of such section:

The Town of Kingston Springs Board of Commissioners shall establish a schedule of fees due and collection procedure for an appeal to the Board of Zoning Appeals. The fees due pursuant to this Section shall be as set forth in Appendix A to the Town of Kingston Springs Municipal Code, as amended by the Board of Commissioners from time to time.

9. Article VIII, Section 8.080 B. of the Town of Kingston Springs Zoning Ordinance shall be deleted in its entirety and the following substituted in lieu thereof:

B. Fee:

The Town of Kingston Springs Board of Commissioners shall establish a schedule of fees and collection procedure for applications for Variances. The schedule of fees due pursuant to this Section shall be as set forth in Appendix A to the Town of Kingston Springs Municipal Code, as amended by the Board of

Commissioners from time to time.

10. The first paragraph of Article VIII, Section 8.090 A. of the Town of Kingston Springs Zoning Ordinance shall be deleted in its entirety and the following substituted in lieu thereof:

A. Fee:

The Town of Kingston Springs Board of Commissioners shall establish a schedule of fees and collection procedure for requests and petitions made under this Section. The schedule of fees due pursuant to this Section shall be as set forth in Appendix A to the Town of Kingston Springs Municipal Code, as amended by the Board of Commissioners from time to time.

11. Section 14-108, Subsection 8.1 (h) of the Town of Kingston Springs Sign Ordinance as set forth in Ordinance 05-012 shall be deleted in its entirety and the following substituted in lieu thereof:

(h) The Town of Kingston Springs Board of Commissioners shall establish a schedule of fees and collection procedure for Sign Permits. The schedule of fees due pursuant to this Section shall be as set forth in Appendix A to the Town of Kingston Springs Municipal Code, as amended by the Board of Commissioners from time to time. Said fees may cover all signs included on the plan or may apply to any sign being changed. See Section 8.7 of this Ordinance for the penalties associated with a failure to obtain a sign permit.

12. Section 14-108, Subsection 8.3 of the Town of Kingston Springs Sign Ordinance as set forth in Ordinance 05-012 shall be amended by adding the following to the end of such Subsection:

The Town of Kingston Springs Board of Commissioners shall establish a schedule of fees due and collection procedure for appeals arising under this Ordinance. The schedule of fees due shall be as set forth in Appendix A to the Town of Kingston Springs Municipal Code, as amended by the Board of Commissioners from time to time.

13. The City Manager is authorized to develop such application forms as may be necessary for the activities, requests, applications, and appeals contemplated herein.

14. Ordinance 04-009 shall be deemed amended to reflect the intention herein that all fees set by the Town of Kingston Springs as contemplated herein shall be codified in Appendix A to the Town of Kingston Springs Municipal Code, and Resolution No. 14-007 and Resolution 20-006 are hereby repealed.

This Ordinance shall take effect the later of the date that is 15 days after its passage or upon publication of this Ordinance or its caption, the public welfare demanding it.

Passed First Reading: January 21, 2021

Public Hearing: February 18, 2021

Passed Second Reading: February 18, 2021

Franco A. Gross III  
Tony Gross, Mayor

Attest:

Jamie Dupré  
Jamie Dupré, Town Recorder

Approved as to Form and Legality:

Martha Brooke Perry  
Martha Brooke Perry, Town Attorney

## UPDATED FEE SCHEDULE (January 2021)

Items in **RED** indicate **NEW**

<b>BOARD</b>	<b>Proposed January 2021</b>
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<b>PLANNING COMMISSION - RESIDENTIAL</b>	<b>FEE</b>
Sketch Plan	\$100.00
Site Plan	\$150.00
Preliminary Plat (Minor Sub – 5 lots or less)	\$350.00
Preliminary Plat (Major Sub – 6 lots or more)	\$500.00
Final Plat (Minor Sub – 5 lots or less)	\$150.00
Final Plat (Major Sub – 6 lots or more)	\$300.00
Final Recorded Plat Revision (Minor Sub – 5 lots or less)	\$150.00

<b>PLANNING COMMISSION - COMMERCIAL</b>	<b>FEE</b>
Concept Site Plan	\$100.00
Preliminary Plat	\$500.00
Final Plat	\$300.00
Final Recorded Plat Revision	\$150.00
Construction Drawing Review	\$500.00
Plan Review	\$350.00
Design Review Committee Plan Review	Pass-Thru to Consultant

<b>PLANNING COMMISSION - OTHER</b>	<b>FEE</b>
Rezoning Request	\$150.00
Change of Use Request	\$50.00
Conditional Use Review	\$100.00
Final Plat Recording Fee	\$50.00

<b>APPEALS BOARDS</b>	<b>FEE</b>
Board of Zoning Appeals - Residential	\$150.00
Board of Zoning Appeals - Commercial	\$200.00
Board of Construction Appeals	\$150.00
Board of Sign Appeals	\$170.00



# UPDATED FEE SCHEDULE (January 2021)

Items in **RED** indicate Change

Permit	Fee from Resolution 20-006	Proposed January 2021
<b>RESIDENTIAL</b>		
Residential Building Permit	\$0.75 per s/f	\$0.75 per s/f
Residential Addition	\$0.75 per s/f	\$0.75 per s/f
Residential remodeling permit	\$0.25 per s/f	\$0.25 per s/f
Roof Replacement	Eliminate Permit	Eliminate Permit
Res. Plan review	Pass thru to Consultant*	Pass thru to Consultant*
Residential Mechanical Permit	\$75.00 - new and remodel	Remove Permit
Residential Plumbing Permit	\$75.00 - new and remodel	Remove Permit
<b>COMMERCIAL</b>		
Comm. Bldg. permit (\$50) min	1% of Current ICC Valuation Table**	\$0.75 per s/f
Commercial Remodel	0.5% of Current ICC Valuation Table**	\$0.75 per s/f
Commercial Mechanical Permit	\$100.00 + 1% of Job Cost	Remove Permit
Commercial Plumbing Permit	\$100.00 + 1% of Job Cost	Remove Permit
Comm. Sprinkler plan review	Pass thru to Consultant*	Pass thru to Consultant*
Kitchen Hood Review (per hood)	\$200.00	Remove Permit
Commercial bldg. plan review	Pass thru to Consultant*	\$500.00
<b>OTHER</b>		
Swimming pool – inground	\$150.00	\$150.00
Swimming Pool above ground	\$75.00	\$75.00
Hot Tub / Spa	\$75.00	\$75.00
Grading and Excavation under 1 acre	\$75.00	\$75.00
Grading and Excavation over 1 acre but under 2 acres	\$100.00	\$100.00
Grading and Excavation over 2 acres	\$100.00 + Planner Review Pass Thru*	\$100.00 + Planner Review Pass Thru*
Blasting (with Insurance)	\$75.00	Remove Permit
Demolition	\$75.00	\$75.00
Temporary Use	\$75.00	\$75.00
Pre fab accessory structure <200 sq. ft.	Eliminate Permit	Eliminate Permit
Accessory Structure <200 sq. ft	\$75.00	\$75.00
Accessory Structure >200 sq. Ft.	\$75.00 + 1% of project cost	\$125.00
Agric. Accessory bldg. permit	Eliminate Permit	Eliminate Permit
Single wide building permit (install)	\$150.00	\$175.00
Single wide removal permit	\$75.00	\$75.00
Driveway Permit	Eliminate Permit	\$75.00 (per entrance)
Permit Renewal/Extension	50% of initial Permit Fee	\$75.00
Reinspection fee	1 <sup>st</sup> Free, after that \$75.00	1 <sup>st</sup> Free, after that \$75.00
Recording Fee 1 <sup>st</sup> /2 <sup>nd</sup> at cost	Eliminate Fee	\$50.00
Work Without Permit (No permit Fine/fee)	Double Fee Amount	Double Fee Amount
Building permit min.	\$75.00	\$75.00
Fireworks Permit		\$1,000.00
Sign Permit		\$75.00 (per unit)
Deck Permit		\$75.00

\* Consultant/Planner Pass Thru charges are calculated at current contracted rate.