

**CITY OF JOPLIN
COUNCIL AGENDA ITEM**

ITEM

Council Bill 2019-524 – Approving certain fee and language changes in the public works department

MEETING DATE

November 18, 2019

ORIGINATING DEPT

Finance

ATTACHMENTS

CB 2019-524 Ordinance

REVIEWED BY

Department Head: Leslie Haase; Public Works Director: David Hertzberg; City Attorney: Peter Edwards; City Manager: Dan Pekarek

SUMMARY

This Council Bill changes certain existing fees and related language in the public works department.

BACKGROUND

The City recently completed the biennial user fee review, which was discussed with City Council at the budget work session on September 24, 2019. User fees are fees for services for specific users. User fees should recover most of the related cost of providing the service, so general taxes are not supporting services for specific users. Under Hancock provisions, the City is only allowed to recover the cost of providing the service. As detailed in the biennial user fee review, certain user fees need to be increased to recover more of the costs associated with providing these services.

In the fee review, staff proposed various changes to public works department fees.

The proposed changes are as follows:

- Remove “Except that no fees for permit or inspection shall be charged an individual making his own repairs”. This is to ensure the work is completed to city standards.
- Create a new commercial stormwater permit in the amount of \$100.00
- Create a new traffic control plan review fee in the amount of \$50.00

The fee changes will be effective on January 1, 2020.

FUNDING SOURCE

This revenue is included in the fiscal year 2020 general fund budget.

RECOMMENDATION

Staff recommends this council bill be approved on first reading.

AN ORDINANCE repealing Section 106-32, Duty of Abutting Property Owners, Article II, Repairs, and Section 106-62, Plan Review and Permit Fees, Article III, Improvement Permits, of Chapter 106, Streets, Sidewalk and Other Public Places, of the Code of Ordinances of the City of Joplin and enacting in lieu thereof a new Section 106-32, Duty of Abutting Property Owners, Article II, Repairs, and Section 106-62, Plan Review and Permit Fees, Article III, Improvement Permits, of Chapter 106, Streets, Sidewalks and Other Public Places, of the Code of Ordinances of the City of Joplin to implement certain fee changes; and setting a date when this Ordinance shall become effective.

WHEREAS, the City performed the biennial fee review and the cost of services has increased and exceeds revenues; and,

WHEREAS, the Council of the City of Joplin desires to increase fees to meet the reasonable expenditures of this function; and,

WHEREAS, the Council of the City of Joplin desires to establish new fees to help recover the cost of services provided by the engineering department.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Joplin, Missouri, as follows:

Section 1. That Section 106-32, Duty of Abutting Property Owners, Article II, Repairs, of Chapter 106, Streets, Sidewalks and Other Public Places, be repealed and a new Section 106-32, Duty of Abutting Property Owners, Article II, Repairs, of Chapter 106, Streets, Sidewalks, and Other Public Places of the Code of Ordinances of the City of Joplin be enacted in lieu thereof to read as follows:

“ARTICLE II. REPAIRS

Sec. 106-32. Duty of abutting property owners.

When any sidewalk, curb or guttering or driveway crossing the sidewalk or any part thereof shall be in need of repair or replacement, or shall be defective due to the change of grade of the subsurface or subarea beneath or adjacent to the sidewalk, curb or guttering or driveway, it shall be the duty of the adjacent or abutting property owner to repair or correct such condition after complying with the procedure and conditions of article III of this chapter.”

Section 2. That Section 106-62, Inspection and Permit Fees, Article III, Improvement Permits, of Chapter 106, Streets, Sidewalks and Other Public Places, be repealed and a new Section 106-62, Plan Review and Permit Fees, Article III, Improvement Permits, of

Chapter 106, Streets, Sidewalks and Other Public Places of the Code of Ordinances of the City of Joplin be enacted in lieu thereof to read as follows:

"ARTICLE III. IMPROVEMENT PERMITS

Sec. 106-62. Plan Review and Permit Fees.

(1) Before any permit shall be issued under the provisions of this article, the applicant therefor shall pay a fee determined as follows:

- a. *Driveway*. The fee for driveway permits shall be as follows:
 - i. Residential - \$50.00
 - ii. Commercial - \$100.00
- b. *Sidewalk*. The fee for sidewalk permits shall be as follows:
 - i. Residential - \$50.00
 - ii. Commercial - \$100.00
- c. *Curb & Gutter*. The fee for curb and gutter permits shall be as follows:
 - i. Residential - \$50.00
 - ii. Commercial - \$100.00
- d. *Stormwater*. The fee for stormwater permits shall be as follows:
 - i. Commercial - \$100.00

(2) *Special Event Permit*. When a special event held within the limits of the City of Joplin requires city labor and materials, the applicant therefor shall pay a fee of \$150.00 per special event.

(3) *Road Closure Permit*. When a road or street within the limits of the City of Joplin requires a temporary closure for construction, utility repairs, special events or any other reason, the applicant therefor shall pay a fee of \$75.00 per road closure.

(3) *Plan Review*. Where an engineering plan review is required for any reason, fees shall be collected for such plan review as follows:

- a. *Engineering Commercial Plan Review* fee shall be .001 multiplied by the value of the project, with a maximum cap of \$2,500.00 per plan review.
 - i. The value of the project in this section shall be computed by one of the following methods and approved by the Public Works Director, but in no case shall the value of the project be less than the minimum set forth in this section.
 - a) Provided by the person applying for the permit and verified by the Public Works Director.
 - b) Calculated using the Building Valuation Data published in the Building Safety Journal each February issue (on file in the City Clerk's office) based on square footage

of the project, and modified for the City of Joplin, using a multiplier of 0.87.

- ii. The minimum value of the project shall be calculated using the Building Valuation Data published in the Building Safety Journal each February issue (on file in the City Clerk’s office) based on square footage of the project, and modified for the City of Joplin, using a multiplier of .65.
- b. *Engineering Residential Subdivision Plan Review* fee shall be assessed upon the submission of a preliminary plat in the amount of \$100.00, plus \$10.00 per lot. The fee shall be paid at the time the preliminary plat is submitted and shall apply to approval of the preliminary plat and final plat, provided that the final plat includes the same area as the preliminary plat.
- c. *Engineering Traffic Control Plan Review* fee shall be assessed upon the submission of a temporary roadway closure plan for traffic lane adjustments in the amount of \$50.00 per plan. The fee shall be paid at the time the plan is submitted.

(4) *Fee Review Process.*

City Council shall review the costs of services with all user fees at least on a biennial basis during the budget process to determine the appropriateness of the fees charge."

Section 3. That this ordinance shall become effective on January 1, 2020.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this

_____ day of _____, 2019.

Gary L. Shaw, Mayor

ATTEST:

Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

Peter C. Edwards, City Attorney