

HAILEY ORDINANCE NO. 1008

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING SECTIONS 15.08.020(E) AND 13.04.140(A) OF THE HAILEY MUNICIPAL CODE BY ALLOWING FOR THE DEFERRAL OF BUILDING PERMIT, PLAN REVIEW, FIRE REVIEW AND WATER AND WASTEWATER CONNECTION FEES TO THE DATE OF THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ENERGY STAR CERTIFIED SINGLE FAMILY RESIDENCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Hailey City Council finds it is appropriate to defer payment of building permit, plan review, fire review and water and wastewater connection fees until the time of issuance of a certificate of occupancy for single family residential buildings which comply with Energy Star certification requirements; and

WHEREAS, The Hailey City Council has determined that amendments to the Hailey Municipal Code allowing for the deferral of fees for energy efficient residences will promote the public health, safety and welfare of the citizens of the City of Hailey, Idaho.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

SECTION 1. Section 15.08.020 (E) of the Hailey Municipal Code is amended by the addition of the underlined language, as follows:

15.08.020(E) Fees, Deposits and Refunds: For buildings, structures and other improvements requiring a building or other permit under this chapter, fees, deposits and refunds shall be paid to the city of Hailey as specified herein.

1. Building Permit Fee. Fees shall be charged utilizing Table 1-A of the 97 UBC, published by the International Conference of Building Officials (ICBO). Building valuation shall be factored at one hundred twenty dollars (\$120.00) per square foot. For new construction or substantial remodels, an application fee of \$500 shall be made at the time the building permit application is submitted to the city. Said fee shall be credited to the total amount of the building permit fee, but shall be forfeited if the building permit is not obtained by the applicant within 180 days of permit approval. Except as otherwise provided for herein, the remainder of the building permit fee and the deposit for final inspection shall be collected when the building permit is issued. At the election of the applicant, payment of the remainder of the building permit fee for a Energy Star certified single family residence may be deferred to the date of the issuance of a certificate of occupancy. For the purpose of Section 15.08.020(E), and Energy Star certified single family residence shall mean a single family residence certified as an Energy Star project in accordance with the Northwest Energy Star Program, as amended.

2. Plan Review Fee: Building Department review will be 65% of the building permit fee. Except as otherwise provided for herein, the plan review fee shall be collected when the building permit is issued. At the election of the applicant, payment of the plan review fee for an Energy Star certified single family residence may be deferred to the date of the issuance of a certificate of occupancy.

3. Fire Review Fee: Fire Department review for commercial or multi-family projects shall be 35% of the building plan review fee. Except as otherwise provided for herein, the fire review fee shall be collected when the building permit is issued. At the election of the applicant, payment of the fire review fee of an Energy Star certified single family residence may be deferred to the date of the issuance of a certificate of occupancy.

4. Deferred Submittal Fee: An additional 100% of the original plan review fee may be charged for all deferred submittals, as set forth in Section 106.3.4.2 of the 2003 IBC, as amended by this chapter.

5. Moved Structure Fee: Moved structures will be calculated by using the estimated cost of the move applied to Table 1-A of the 97 UBC.

6. Manufactured Homes Fee: Fees shall be based on the on-site elements constructed, not the home itself.

7. Demolition Fee: Fee shall be \$75 and shall be due at the time the application is submitted to the city.

8. Re-roof Fee: Fee shall be calculated using Table 1-A of the 97 UBC. Valuation shall be based on scope of the work and materials.

9. Fence Fee: Fee will be \$30 and be paid when the application is submitted.

10. Shed Fee: Permits must be obtained for all sheds exceeding 120 square feet. Fees shall be based on Table 1-A of the 97 UBC.

11. Deposit for Final Inspection: In addition to the building permit fees as stated above, a deposit shall be collected when the building permit is issued, to ensure final inspection. A deposit shall be 25% of the total building permit fee or \$100, whichever is greater.

SECTION 2. Section 13.04.140(A) of the Hailey Municipal Code is amended by the addition of the underlined language, as follows:

13.04.140 Water and Wastewater Connection fees.

A. The Owner or agent of any Property connected to the Municipal Water or Wastewater System shall pay a water connection fee for the value of water service and a Wastewater connection fee for the value of Wastewater service. Connection fees shall be paid to the City on or before the issuance of a building permit except as provided in Section 15.08.020(E) of the Hailey Municipal Code.

The basis for the connection fee for those persons or entities connecting to the Municipal Water and Wastewater Systems is to charge the value of the system capacity that the new user will absorb at that point in time. The value of the system is determined each year by updating the original construction cost of each major capital improvement to the system to determine the cost to replace that improvement in that particular year. This is accomplished by determining the annual average engineering news record construction

costs index ("ENR (CCI)") in the year that the improvements were made and the year that the connection fee is being determined. The ENR (CCI) for the year calculated is divided by the ENR (CCI) for the year in which the improvements were made. The value is then multiplied by the original cost for the improvements. The value obtained is the estimated cost to replace the improvements at the time the connection fee is calculated. The gross value to replace the system must be adjusted by subtracting the remaining bond principal to obtain the net value. The remaining bond principal to be paid for bond retirement is determined from the bond retirement schedule each year. The remaining bond interest is not subtracted from gross system value.

SECTION 2. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

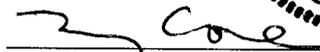
SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its proclamation, passage and approval and posting in at least five (5) public places in the City of Hailey.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL and approved by the Mayor this 19th day of May, 2008.



ATTEST:


Mary Cone
Hailey City Clerk


Richard Davis, Mayor
City of Hailey

Publish: Summary - Wood River Journal: May 28th, 2008.