

**PLANNING & DEVELOPMENT DEPARTMENT MEMORANDUM  
#24-2020**

**DATE:** June 22, 2020

**TO:** Honorable Mayor Meredith Leighty and City Council Members

**THROUGH:** Heather Geyer, City Manager 

**FROM:** Brook Svoboda, Director of Planning and Development   
Corey Hoffmann, City Attorney

**SUBJECT:** CB-1947 – 2009 International Fire Code Amendment – Fee Schedule

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**PURPOSE**

First Reading of CB-1947, an ordinance repealing Section 10-5-5; part (m) of the Northglenn Municipal Code addressing the fee schedule for the International Fire Code.

**BACKGROUND**

When the 2009 International Fire Code (IFC) was adopted in 2011, the City partnered with the North Metro Fire Rescue District (the “District”) to reflect the adopted fee schedule, which is included in Attachment 1. The District has requested that the City repeal these provisions to revert back to the original 2009 IFC fee provisions, which are included in Attachment 2. This will enable the District to update and revise their fees throughout their entire service area in a timely and more seamless manner. All municipalities and counties served by the District already adhere to the existing IFC fee provisions.

**STAFF RECOMMENDATION**

Attached to this memorandum is CB-1947, which is being presented on first reading. Staff is recommending that City Council approve the proposed ordinance on first reading and schedule the item for public hearing and second reading on July 13, 2020.

**BUDGET/TIME IMPLICATIONS**

The City does not collect fees or administer IFC related building permits, plan review or inspections. As a result, there are no anticipated direct budgetary impacts from this item.

**STAFF REFERENCE**

If City Council members have any comments or questions, they may contact Brook Svoboda, Director of Planning and Development, at 303.450.8937 or bsvoboda@northglenn.org.

**ATTACHMENTS**

1. Adopted IFC fee schedule provisions to be repealed
2. Original IFC fee schedule provisions to be reinstated

CB-1947 – 2009 International Fire Code Amendment – Fee Schedule

## ATTACHMENT 1

*(Currently Adopted Provisions to be Repealed)*

Section 10-5-5. Amendments to the International Fire Code, 2009 Edition.

(m) Section 113, Fees, of *2009 International Fire Code*® is repealed in its entirety and re-enacted to read as follows:

### Section 113 Fees

113.1 Fees. The imposition of fees for inspection-related services pursuant to provisions of this Code shall be in accordance with this Section 113. The fees set forth in this Section 113 shall be paid to the North Metro Fire Rescue District.

Exception: The government of the United States of America, the State and its political subdivisions, the City and County, and all agencies and departments thereof shall be exempt from the payment of fees for work performed on buildings or structures owned wholly by such agencies or departments and devoted to governmental use.

113.2 Payment of Fees. A permit shall not be valid until the fees prescribed by law have been paid; nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

113.3 Operational Permit Fee. An inspection fee shall be charged for any operational permit required by Section 105.6. The inspection fee shall be based upon the time required to conduct inspections authorized by Section 105.2.2 and associated activities, to determine compliance with this Code and other applicable laws and ordinances as required by Section 105.2.4, and to issue the permit as specified in Section 105.3.7.

The operational permit fee shall be calculated at the rate of \$50.00 per hour, with a minimum operational permit fee of \$25.00.

113.4 Construction Permit Fee. A fee shall be charged for any construction permit required by Section 105.7 of this Code. The fee for a construction permit shall be established pursuant to Table 113.4. The construction permit fee is intended to cover the cost of inspections required or requested in connection with the work for which the permit is granted, and the associated costs of processing the application. An application for a permit shall include an estimate of the total value of the work, including materials and labor, for which the permit is being sought. If, in the opinion of the Fire Code Official, the valuation is underestimated on the application, the permit shall be denied, unless written estimates are provided in a form acceptable to the Fire Code Official, and that support the valuation set forth in the application. Final construction permit valuation shall be set by the Fire Code Official.

Table 113.4 Construction Permit Fee

Total Valuation	Fees
\$1.00 to \$500.00	\$23.50
\$500.01 to \$2,000.00	\$23.50 for the first \$500.00, plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00.
\$2000.01 to \$25,000.00	\$69.25 for the first \$2,000.00, plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,000.01 to \$50,000.00	\$391.75 for the first \$25,000.00, plus \$10.10 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00.
\$50,000.01 to \$100,000.00	\$643.75 for the first \$50,000.00, plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00.
\$100,000.01 to \$500,000.00	\$993.75 for the first \$100,000.00, plus \$5.60 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00.
\$500,000.01 and up	\$3,233.75 for the first \$500,000.00, plus \$4.75 for each additional \$1,000.00 or fraction thereof.

Fees for re-inspections, for inspections outside normal business hours, or for inspections for which no fee is otherwise established shall be \$50.00 per hour for each inspector. The minimum fee for miscellaneous inspections and for re-inspections shall be \$50.00. The minimum fee for requested inspections outside normal business hours shall be \$100.00.

113.5 Plan Review Fee. The plan review fee is intended to cover the significant costs and expenses incurred by the Fire District in reviewing materials necessary to perform appropriate inspections of construction, uses, processes, and operations. The fee shall be assessed based on the reasonable, customary, and necessary time associated with reviewing or evaluating site plans; construction documents and calculations; changes, additions, or revisions to approved plans; construction documents resubmitted after the Fire Code Official's issuing a written statement explaining the reasons that a previous submittal does not conform to the requirements of this Code and the laws and ordinances applicable thereto; rational engineering analyses; requests to use alternate materials and methods; performance-based designs; technical opinions and reports; hazardous materials management plans and hazardous materials inventory statements required by the Fire Code Official pursuant to Sections 407, 2701.5, or 3305.2.1; and all other types of plans necessary to implement, administer, and enforce the provisions of this Code. When submittal documents are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged.

The plan review fee required by this Section 113.5 is separate from the construction permit fee required by Section 113.4.

113.5.1 Initial Construction-Document Review. The plan review fee for the initial submittal of construction documents in support of an application for a construction permit shall be equal to 65 percent of the construction permit fee. The plan review fee shall be paid at the time of submitting construction documents for plan review.

113.5.2 Other Plan Reviews. Other than review of the initial submittal of construction documents pursuant to Section 113.5.1, all other plan review fees shall be calculated at the rate of \$50.00 an hour, with a minimum plan review fee of \$25.00.

113.7 Unauthorized Work Inspection Fee. Any person or entity who commences any work before obtaining a construction permit required by Section 105.7 shall be subject to an inspection fee in an amount equal to the amount of the construction permit fee or \$250.00, whichever is greater. The fee shall be separate from and in addition to a construction permit fee. Payment of the inspection fee shall not relieve any person from compliance with all other provisions of this Code or from any penalty prescribed by law. The inspection fee shall be assessed regardless whether or not a construction permit is then or subsequently issued.

Exception: When approved in writing by the Fire Code Official, work may commence prior to obtaining a construction permit.

113.8 Related Fees. The payment of the fee for construction, uses, processes, or operations authorized by an operational permit or construction permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law or required by Section 113.

113.9 Fee Refunds. The Fire Code Official is authorized to establish a fee refund policy.

## ATTACHMENT 2

*(Existing IFC language to be reinstated)*

### **Section 113**

#### **Fees**

113.1 **Fees** – A permit shall not be issued until the fees have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

113.2 **Schedule of permit fees** – A fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

113.3 **Work commencing before permit issuance** – Any person who commences any work, activity or operation regulated by this code before obtaining the necessary permits shall be subject to an additional fee established by the applicable governing authority, which shall be in addition to the required permit fees.

113.4 **Related fees** – The payment of the fee for the construction, alteration, removal or demolition of work done in connection to or concurrently with the work or activity authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

113.5 **Refunds** – The applicable governing authority is authorized to establish a refund policy.

SPONSORED BY: MAYOR LEIGHTY

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1947  
Series of 2020

\_\_\_\_\_  
Series of 2020

A BILL FOR AN ORDINANCE REPEALING SECTION 10-5-5, SUBSECTION (M), OF THE NORTHGLENN MUNICIPAL CODE TO RESTORE THE ORIGINAL LANGUAGE OF THE INTERNATIONAL FIRE CODE, 2009 EDITION

WHEREAS, upon adoption of the 2009 edition of the International Fire Code (the "Fire Code") in 2011 by Ordinance No. 1590, Series of 2011, the City modified the fee provisions of the Fire Code by an amendment found at Section 10-5-5(m) of the Northglenn Municipal Code; and

WHEREAS, in cooperation with North Metro Fire Rescue District, the City wishes to repeal the amendment and restore the original language of the Fire Code, which will allow North Metro Fire Rescue District to impose fees appropriate for its administration of the Fire Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 10-5-5, subsection (m) of the Northglenn Municipal Code is repealed.

INTRODUCED, READ AND ORDERED POSTED this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
MEREDITH LEIGHTY  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

PASSED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_,  
2020.

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MEREDITH LEIGHTY  
Mayor

ATTEST:

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JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

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COREY Y. HOFFMANN  
City Attorney