ORDINANCE NO. O-2008-14

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE REPEALING ORDINANCE NO. O-2006-01, ADOPTING A REVISED FEE SCHEDULE FOR BUILDING INSPECTIONS, AND EXEMPTING AGRICULTURAL BUILDINGS FROM BUILDING INSPECTIONS AND FEES

WHEREAS, Benton County has adopted under Ordinance No. O-2005-35 the building code as amended and adopted by the State of Arkansas; and

WHEREAS, Benton County has adopted under Ordinance No. O-2006-01 a fee schedule for building permits; and

WHEREAS, Benton County has determined it necessary to revise the fee schedule for building permits in the unincorporated areas of the county; and

WHEREAS, Benton County has determined it necessary to exempt agricultural buildings from building inspections and fees.

NOW THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS:

ARTICLE 1. That the fees for building permits required by the building code shall be determined by the total cost of construction in accordance with the following schedule except as provided in Articles 2 and 3 of this ordinance. The total cost of construction shall be determined by utilization of the ICC Building Valuation table dated August 2007 and attached hereto as an appendix and included as a part of this ordinance.

Total Cost of Construction	Fee
$1,000 or less	No fee unless an inspection is required, in which case, the Single Phase of Construction or Miscellaneous Inspection Fee shall apply.
$1,001 to $50,000	$25.00 for the first $1,000.00 plus $4.00 for each additional thousand or fraction thereof, to and including $50,000.00
$50,001 to $100,000	$245.00 for the first $50,000.00 plus $3.00 for each additional thousand or fraction thereof, to and including $100,000.
$100,001 to $500,000	$445.00 for the first $100,000.00 plus $2.00 for each additional thousand or fraction thereof, to and including $500,000.00
$500,001 and up	$1,245.00 for the first $500,000.00 plus $1.00 for each additional thousand or fraction thereof.

ARTICLE 2. The fees for the following items shall be as follows:

Re-inspection Fee - $50.00

Plan Review Fee (Required for only commercial or industrial buildings) – $50.00

House Moving/Manufactured Home Moving or Set-up Fee - $100.00

Single Phase of Construction or Miscellaneous Inspection Fee - $50.00 per inspection

Lost Permit Fee - $15.00

ARTICLE 3. Agricultural buildings as defined as follows are exempt from the building permit process, inspections, and fees.

Agricultural Building. A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

ARTICLE 4. Completion Deposit. Each building permit issued under the provisions of Article 1 of this ordinance shall be accompanied by a completion deposit equal to 50 percent of the building permit fee. This deposit shall be refunded upon issuance of a Certificate of Occupancy for the building. If a Certificate of Occupancy is not issued for the building due to occupancy of the building prior to an approved final inspection, then the Completion Deposit shall be forfeited.

ARTICLE 5. Waiver of Fees. Building permit fees for public or quasi-public agencies may be waived upon application to the Benton County Planning and Development Department and approval by the County Judge.

ARTICLE 6. Repeal. Benton County Ordinance No. O-2006-01 is hereby repealed.

ARTICLE 7. Penalty. A violation of this ordinance shall be a misdemeanor and punishable by a fine not exceeding $500.00 or double such sum for each repetition thereof. If the violation is, in its nature, continuous in respect to time, the penalty for allowing the continuance thereof is a fine not to exceed $250.00 for each day that the same is unlawfully continued.

ARTICLE 8. Severability. If any court of competent jurisdiction finds that any section, clause, sentence, or phrase of this ordinance is invalid or unconstitutional, that finding in no way affects the validity of the remaining portions of this ordinance.

APPROVED:

/s/ Gary D. Black
GARY D. BLACK, COUNTY JUDGE
DATE SIGNED: May 23, 2008

ATTEST:

/s/ Mary L. Slinkard
MARY L. SLINKARD, COUNTY CLERK
SPONSOR: JP Beverly Williams
ADOPTED: May 22, 2008
Votes for: 10 Against: 2
Abstain: ____ Present: _____ Absent: 1

APPENDIX

For a description or explanation of the Type of Construction as shown in the table below, please refer to the 2002 Arkansas Fire Prevention Code, Volume II - Building, Chapter 6 - Types of Construction.

Square Foot Construction Costs[a, b, c, d]

Group	(2006 International Building Code)	Type of Construction								
		IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1	Assembly, theaters, with stage	190.99	184.82	180.21	172.74	160.21	159.43	167.13	148.15	142.63
	Assembly, theaters, without stage	176.23	170.05	165.44	157.97	145.44	144.66	152.37	133.39	127.86
A-2	Assembly, nightclubs	147.10	142.97	139.34	133.91	124.28	124.03	129.21	114.30	110.46
A-2	Assembly, restaurants, bars, banquet halls	146.10	141.97	137.34	132.91	122.28	123.03	128.21	112.30	109.46
A-3	Assembly, churches	176.78	170.61	165.99	158.53	145.96	145.18	152.92	133.90	128.38
A-3	Assembly, general, community halls, libraries, museums	150.51	144.34	138.73	132.26	118.68	118.90	126.65	106.63	102.10
A-4	Assembly, arenas	175.23	169.05	163.44	156.97	143.44	143.66	151.37	131.39	126.86
B	Business	152.75	147.34	142.69	136.02	121.77	120.96	130.77	108.80	104.41
E	Educational	163.27	157.77	153.29	146.61	135.26	132.07	141.77	120.94	116.38
F-1	Factory and industrial, moderate hazard	90.96	86.79	82.13	79.44	68.74	69.66	76.24	58.56	55.46
F-2	Factory and industrial, low hazard	89.96	85.79	82.13	78.44	68.74	68.66	75.24	58.56	54.46
H-1	High Hazard, explosives	85.25	81.08	77.42	73.73	64.21	64.13	70.53	54.03	N.P.
H234	High Hazard	85.25	81.08	77.42	73.73	64.21	64.13	70.53	54.03	49.93
H-5	HPM	152.75	147.34	142.69	136.02	121.77	120.96	130.77	108.80	104.41
I-1	Institutional, supervised environment	149.29	144.18	140.32	134.63	123.81	123.77	135.88	113.81	109.35
I-2	Institutional, hospitals	253.93	248.52	243.87	237.20	222.34	N.P.	231.95	209.39	N.P.
I-2	Institutional, nursing homes	177.55	172.14	167.49	160.82	147.00	N.P.	155.58	134.05	N.P.
I-3	Institutional, restrained	173.39	167.98	163.32	156.66	143.67	141.88	151.41	130.72	124.33
I-4	Institutional, day care facilities	149.29	144.18	140.32	134.63	123.81	123.77	135.88	113.81	109.35
M	Mercantile	109.31	105.19	100.56	96.13	86.08	86.83	91.43	76.10	73.26
R-1	Residential, hotels	151.18	146.06	142.20	136.51	125.47	125.42	137.53	115.46	111.01
R-2	Residential, multiple family	126.78	121.67	117.81	112.12	101.20	101.15	113.26	91.19	86.73
R-3	Residential, one- and two-family	120.93	117.62	114.74	111.60	106.42	106.16	109.71	100.76	94.99
R-4	Residential, care/assisted living facilities	149.29	144.18	140.32	134.63	123.81	123.77	135.88	113.81	109.35
S-1	Storage, moderate hazard	84.25	80.08	75.42	72.73	62.21	63.13	69.53	52.03	48.93
S-2	Storage, low hazard	83.25	79.08	75.42	71.73	62.21	62.13	68.53	52.03	47.93
U	Utility, miscellaneous	64.30	60.80	57.19	54.31	47.22	47.22	50.70	38.76	36.91

a. Private Garages use Utility, miscellaneous
b. Unfinished basements (all use group) = $15.00 per sq. ft.
c. For shell only buildings deduct 20 percent.
d. N.P. = not permitted

Electronic files of the latest Building Valuation Data can be downloaded from the Code Council website at *www.iccsafe.org/cs/techservices/*.