

CHAPTER 108

FEEES

§ 108-1. Title
§ 108-2. Purpose.

§ 108-3. Standard Schedule of Fees

§ 108-1. Title

This chapter shall be known as the "Standard Schedule of Fees Law" of the Town of Eden, New York.

§ 108-2. Purpose

This chapter is to establish reasonable standards of procedure to protect the health, safety and welfare of the Town of Eden.

§ 108-3. Standard Schedule of Fees.

The Standard Schedule of Fees shall be as follows:

Any work started for which a permit
Is required but has not been issued. \$150.00

A. Residential

Single-family dwelling \$.14 per square foot of construction, including attached garages, porches and decks.

All Other residential dwellings \$.15 per square foot of construction, including attached Garages, porches and decks.

Dwelling Addition Permit \$.17 per square foot of construction

Accessory Buildings & Structures:
Example: Garages, Barns, Shed Permits \$.15 per square foot of construction

Decks/Porches, TV Dishes, etc. \$50.00

Alterations and repairs \$75.00

Demolition \$.15 per square foot

Fence \$35.00

Fireplace/Stove Permit \$35.00 (Included with new dwelling Building permit.) Certificate of Compliance Required.

Swimming Pool Permit	\$ 30.00 above ground \$100.00 in ground (includes fence permit)
Pond Permit	\$150.00 (includes site plan review)
Yard/Garage Sale-3 days	No Charge
Certificate of Occupancy	No charge with unexpired building permit \$50.00 for expired permit or moving in without Certificate of Occupancy. \$50.00 for Temporary Certificate of Occupancy.
Certificate of Compliance	No charge with unexpired permit (for demolition, fences, swimming pools, etc. and accessory buildings)
Mobile Home Parks	\$10.00 per mobile home lot for initial license and annual renewal thereafter. \$100.00 per each new mobile home or replacement.
<u>Recreation Fees</u>	
Major Subdivisions	\$700 per new dwelling unit payable upon Final Subdivision Approval per the Sub-division Law.
Minor Subdivisions	\$700 per new dwelling unit payable upon Building Permit Approval
Duplexes	\$700 per new dwelling unit payable upon Approval of Application.
Multiple Dwelling (Conventional & Townhouse)	\$350 per new dwelling unit payable upon Approval of Application.
Cluster Development	\$525 per new dwelling unit, payable upon Project Approval.
Mobile Home Park	\$525 per new Mobile Home Dwelling Unit, payable upon Project Approval.

B. BUSINESS/COMMERCIAL PERMITS

Business/Commercial	\$.10 per square foot of construction
Additions	\$.15 per square foot of construction
Alterations/Repair	\$100.00
Accessory Structures	\$.10 per square foot of construction
Demolition	\$.10 per square foot of construction
Agriculture	\$.02 per square foot - Minimum of \$50
Certificate of Occupancy	No charge with unexpired permit. \$50.00 for expired permit, site plan review or special permit approval.
Sign Permits	\$50.00
Operating Permits	\$50.00
***** Special Use Permit or Zoning Amendment Hearing }	→ \$200.00 - Includes Advertisement of Legal Notice by Town Board \$25.00 - Temporary Trailer Permit
Town Board Special Use Permit Renewal	\$30.00 Annually
Tower Special Permit	\$5,000.00 - plus reasonable costs of engineering and/or other consultant services required by the Town to assist it in reviewing and analyzing material and information submitted relative to the application.
Zoning Board of Appeals	\$100.00 - Includes advertising and Certificate of Occupancy for variances, home occupancy and residential- professional uses.
	Non-conforming use in non-residential permit (Section 6.1.2.3) same as business/commercial.

Planning Board \$100.00 - Includes advertising legal notice.

Posters for Notice \$5.00 each

Assessors

Search Fee for Special Use Permit Hearings or Zoning Board Hearings:

\$25.00 for General Business, Office Business, General Industrial, Local Business, Hamlet Residential and Suburban Residential Districts.

\$10.00 for all other zoned areas.

Copies of Maps

\$.50 Small Maps - \$1.00 Large Maps

Police Department Fees:

Accident Reports \$5.00 per report.

Police Reports \$5.00 per report.

Photograph Copies \$1.00 per photo.

Transcripts \$20.00 plus \$1.00 per page.

Highway Department Fees:

Highway Right-of-Way Permit \$25.00 + costs for labor/inspections

Highway Drainage Enclosure Permit \$10.00

C. SUBDIVISION FEES

(1) Application and Review Fees

Property Splits Application \$150

Minor Subdivision

Sketch plat \$150
Resubmission fee \$ 75

Final plat \$100
Resubmission fee \$ 50

Major Subdivision without Public Improvements:

Sketch plat	\$100 plus \$5/lot
Resubmissions	½ of total initial fee
Preliminary plat	\$150 plus \$10/lot
Resubmission	½ of total initial fee
Final plat	\$150
Resubmission	½ of total initial fee

Major Subdivision with Public Improvements:

Sketch plat	\$200 plus \$10/lot
Resubmission	½ of total initial fee
Preliminary plat	\$200 plus \$50/lot
Resubmission	½ of total initial fee
Final plat	\$250
Resubmission	\$125

(2) Inspection Fee For Public Improvements

The subdivider (developer) shall pay to the town, at the time of application for a public improvement permit, a deposit for the inspection of all required public improvements, in accordance with the following schedule:

Construction Cost
of Public Improvements

Inspection Fee

\$ 0 to \$ 10,000	8% of total construction cost
Over 10,000 to 100,000	\$800 plus 6.0% over \$10,000
Over \$100,000	6.0% of total construction cost

- A. An additional \$50 fee shall be paid to the Town for Administrative Services.
- B. The inspection deposit shall be used to pay the Town's inspector or agent. Funds not used for this purpose shall be returned to the developer upon acceptance of the improvements.
- C. If the deposited amount is exceeded due to the project not proceeding expeditiously, being understaffed, utilization of inexperienced contractors, conditions beyond the control of the Town or their agent, then the developer must pay the outstanding inspection fee before the improvements may be accepted.
- D. The developer should note that additional inspection deposits may be required by outside agencies such as the Erie County Sewer District. The affected agency should be consulted to determine their costs.

D. SITE PLAN REVIEW FEES

Site Plan Waiver Fee - \$150.00

<u>Number of Improved Acres</u>	<u>Review Fee</u>
0 - 5 acres	\$400.00
Over 5 acres	\$400.00 + \$30.00 per acre over 5 acres

- (1) Site plan review fees apply to all uses requiring Site Plan Review.
- (2) This review fee includes two submittals and shall be paid at the time of initial submittal. If the plans cannot be approved in the second submittal because they are incomplete or Town specifications are not being followed, one-half the review fee will be charged for each subsequent submittal.
- (3) Any fraction of an acre will be rounded to the next highest acre. For example, 3.2 acres would be considered 4 acres when determining review fees.

E. SEQR Fees

SEQR Reviews Reimbursement to the Town for any SEQR costs incurred. Estimates will be provided at the time of application.

F. STORMWATER POLLUTION PREVENTION PLANS AND SITE INSPECTION FEES

(1) Single Phase Residential & Commercial Development Projects

If design is in conformance with New York State Design Manuals:

<u>Number of Acres</u>	<u>SWPPP Design Plan Rev.Fee</u>	<u>Construction Inspect.Fee</u>	<u>Total</u>
Less than 5 Acres	\$300.00	\$500.00	\$ 800.00
5 Acres - 10 Acres	\$450.00	\$700.00	\$1,150.00
Over 10 Acres	\$450 plus \$100 for each Additional 5 Acres or Portion thereof	\$700 plus \$200 for each Additional 5 Acres or Portion thereof	

If design is not in conformance with New York State Design Manuals:

<u>Number of Acres</u>	<u>SWPPP Design Plan Rev.Fee</u>	<u>Construction Inspect.Fee</u>	<u>Total</u>
Less than 5 Acres	\$600.00	\$500.00	\$1,100.00
5 Acres - 10 Acres	\$750.00	\$700.00	\$1,450.00
Over 10 Acres	\$750 plus \$100 for each Additional 5 Acres or Portion thereof	\$700 plus \$200 for each Additional 5 Acres or Portion thereof	

MS-4 overlay.

(2) Multi-Phase Residential & Commercial Development Projects

- A. When the entire project is first being reviewed and approved by the municipality, use the Single Phase Residential & Commercial Development Project schedule above to determine an initial fee based on the entire acreage of the project to be developed in several phases.
- B. Add \$500 for each subsequent phase after the 1st initial phase, to be collected at the beginning of the development of each subsequent phase. This additional \$500 is to be used for construction inspection assuming that the SWPPP and Design Plans do not change.

NOTE: These fees are in addition to the existing site plan or subdivision review/application fee.

SECTION 4 SEPARABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Eden hereby declares that it would have passed this Local Law or the remainder thereof has such invalid application or invalid provision been apparent.

SECTION 5 EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with section twenty-seven of the Municipal Home Rule Law.

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|-------------------|--|
| July 14, 1993 | - Public Hearing held |
| July 14, 1993 | - Adopted by the Eden Town Board |
| June 22, 1994 | - Public Hearing held for amendments |
| July 13, 1994 | - Amendments adopted by the Town Board |
| May 24, 1995 | - Public Hearing held for amendments |
| June 14, 1995 | - Amendments adopted by the Town Board |
| February 12, 1997 | - Public Hearing held for amendment |
| February 12, 1997 | - Amendment adopted by the Town Board |
| May 14, 1997 | - Public Hearing held for amendments |
| May 14, 1997 | - Amendments adopted by the Town Board |
| July 8, 1998 | - Public Hearing held for amendments |
| July 8, 1998 | - Amendments adopted by the Town Board |

July 11, 2001 - Public Hearing held for amendments
July 25, 2001 - Amendments adopted by the Town Board

Oct. 10, 2001 - Public Hearing held for amendments
Nov. 14, 2001 - Amendments adopted by the Town Board

Dec. 11, 2002 - Public Hearing held for amendment
Dec. 11, 2002 - Amendment adopted by the Town Board

June 9, 2004 - Public Hearing held for amendment
June 23, 2004 - Amendment adopted by the Town Board

Sept. 12, 2007 - Public Hearing held for amendment
- Proposed Local Law No. 3- 2007
Sept. 12, 2007 - Amendment adopted by the Town Board

Aug. 13, 2008 - Public Hearing held for amendment
Aug. 27, 2008 - Amendment adopted by the Town Board