

ORDINANCE NO. 15-18 (Third Amended)
AN ORDINANCE AMENDING BUILDING CODE (CITY CODE CHAPTER 110)

WHEREAS, it is in the interest of the City of West Lafayette to provide minimum standards for the protection of life, health, environment, public safety and general welfare, conservation of energy in design and construction of buildings and structures; and

WHEREAS, to advance these interests the City of West Lafayette receives and reviews permit applications for the permitting of demolition, construction, alternation or repair of any building or structure in the City; and

WHEREAS, to further advance these interests the City of West Lafayette conducts site inspections of the work being done pursuant to a building permit; and

WHEREAS, to help defray the costs of permitting and inspection, the City of West Lafayette imposes certain fees; and

WHEREAS, the existing fee and fine schedules related to permitting and inspection is outdated; and

WHEREAS, the City of West Lafayette desires to impose a new fee schedule that provides fees that are reasonably related to the administrative cost of exercising its regulatory power and fines that better advance the interests of the City in the enforcement of the Building Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, TIPPECANOE COUNTY, INDIANA that (deletions indicated by ~~strikethrough~~ and additions indicated by **bold**):

SECTION 1. Chapter 110, Section 23 of the West Lafayette City Code is amended upon adoption of this ordinance to read as follows:

Sec. 110.23. Fee.

(a) The building permit shall be issued by the building commissioner upon proper application and submission of plot and building plans and payment of a fee computed as follows: ~~base fee of twenty-five dollars, plus:~~

Fee per \$ 1,000.00	
Estimated Project Cost — of Estimated Project Cost	
\$1,000,000.00 or less	\$2.00
Over 1,000,000.00	\$.50

Building Permit Fee Schedule for residential, commercial, multi-family, PDMX, and fraternity and sorority.

<u>Project Cost</u>	<u>Building Permit Fee</u>
\$0 - \$1,000,000	Base Fee plus \$2.00 per thousand dollars of estimated project cost
More than \$1,000,000	Base Fee plus \$2,000 plus \$0.50 per thousand dollars of estimated project cost

Base Fee Schedule for residential, commercial, multi-family, PDMX, and fraternity and sorority.

<u>Base Fee Description</u>	<u>Base Fee</u>
Residential New Build	\$445
Residential Improvement	\$235
Commercial New Build	\$605
Commercial Improvement	\$365
Commercial Buildout	\$365
Commercial Change of Use	\$285
Multi-Family New Build	\$125 + \$135 per building + \$90 per unit
Multi-Family Improvement	\$125 + \$90 per unit
Multi-Family Buildout	\$125 + \$90 per unit
PDMX New Build	\$125 + \$135 per building + \$90 per unit
PDMX Improvement	\$125 + \$90 per unit
Fraternity/Sorority New Build	\$605
Fraternity/Sorority Improvement	\$365

Flat Permit Fee Schedule for signs, pools, demolition, electrical, and fence.

Sign – Permanent	\$100
Sign – Temporary	\$20
Pool – Residential	\$235
Pool – Commercial	\$365
Demolition	\$100 per structure + \$45
Electrical	\$100
Fence (Compliance)	No Fee

(b) ~~The minimum fee shall be twenty-seven dollars, with no fee for improvements of one hundred dollars or less.~~ The building commissioner may also require an affidavit showing the estimated cost. If such affidavit is not satisfactory, the building commissioner may withhold issuing the building permit pending its approval by the board of public works and safety.

(c) Whenever any work for which a permit is required has been started without obtaining a permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is issued. The investigation fee shall be ~~equal to~~ **double** the amount of the permit fee required by this code. Payment of the investigation fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

(d) ~~There shall be a charge of twenty-five dollars for any reinspection of any item of work after the first reinspection.~~

SECTION 2. Chapter 110, Section 25 of the West Lafayette City Code is amended upon adoption of this ordinance to read as follows:

Sec. 110.25. Inspections.

(a) After the issuance of any building permit, the building commissioner shall make, or shall cause to be made, inspections of the work being done as are necessary to insure full compliance with the provisions of this chapter and chapter 111 and the terms of the permit. **Building inspection fees are as follows:**

<u>Building Fee Description</u>	<u>Inspection Fees</u>	<u>Required Inspections</u>
Residential	\$45 per req. inspection	Footing, slab, rough-in, perm. electric, final
Multi-Family	\$135 per building plus \$90 per unit	Building-(Footing, underslab, slab), Unit-(rough-in, insulation, perm. electric, final)
Commercial	\$80 per req. inspection	Footing, under-slab, slab, rough-in, perm. electric, final
Pool – residential	\$45 per req. inspection	Rough bonding, grid bonding, final
Pool – commercial	\$80 per req. inspection	Rough bonding, grid bonding, final
Permanent Sign	\$100 (total)	Footing & Final
Temporary Sign	<i>See The New Unified Zoning Ordinance of the Area Plan Commission of Tippecanoe County and its Member Jurisdictions</i>	Final (drive-by)

(b) For additional/phased inspections, which include but are not limited to temporary pole, temporary to main, trunkline, insulation, pre-final, and any required inspection, the fee schedule is as follows:

<u>Description</u>	<u>Additional/Phased Inspection Fees</u>
Residential	\$45
Commercial	\$80
Multi-Family	\$45

(c) An inspection outside of regular business hours or business days of the city inspector may be available, depending on staff availability. A fee for any inspection outside of regular business hours or business days is \$250.

(d) If anyone fails to give the city advanced notice of a cancelled inspection, the city shall assess the fee for the scheduled inspection.

(e) Reinspections of work found to be incomplete or not ready for inspection are subject to assessment of reinspection fees as prescribed in this chapter and chapter 111.

Sec. 110.26. Inspection Assistance.

(a) The chief of the fire department, or designee, shall assist the building commissioner in the inspection of fire suppression, detection and alarm systems, commercial inspections, and shall provide reports of such inspection to the building commissioner. **The following fees/fines by the West Lafayette Fire Department shall be a part of the building permit process and administered by the building commissioner (Ord. No. 4-88, § 12.)**

Annual inspection	14-7	No charge
First re-inspection (approx.. 30 days)	14-7	No charge
Second re-inspection (approx. 15 days)	14-7	\$150.00
Third and all subsequent (approx. 5 days)	14-7	\$250.00
Initial site and construction inspections	14-10	No charge
Fire alarm/sprinkler system-initial acceptance	14-10	No charge
Hood suppression system-initial acceptance	14-10	No charge
All subsequent acceptance test (all types)	14-10	\$150.00
Fire department occupancy permit	14-9	\$25.00
Construction/building plan review	14-8	\$0.10 per SF/\$150.00 minimum
Automatic sprinkler system per NFPA 13	14-401	Number of risers or systems X \$100.00
Fire alarm system per NFPA 72	14-401	Number of fire alarm annunciation zones per NFPA 72 X \$25.00
Special hazard system (i.e. hood suppression system)	14-401	Number of systems X \$100.00
Modification to an existing system	14-401	Item being modified (i.e. riser) X \$75.00
Construction or installation w/o a fire protection permit	14-10	Stop work order + 5X normal permit fee
Failure to implement a required fire watch	14-379	\$350.00 per day/per person – IDHS notified
Occupancy without occupancy permit	14-9	\$250.00 per day
False/faulty alarms (alarms 4-6 in a calendar	14-429	\$100.00 each occurrence
False/faulty alarms (alarms 7-10 in a calendar	14-429	\$150.00 each occurrence
False/faulty alarms (alarms 11 and beyond in a calendar year)	14-429	\$250.00 each occurrence
Tampering with a life safety system	14-356	\$500.00 each occurrence – IDHS & WLPD notified

SECTION 3. Chapter 110, Section 35 of the West Lafayette City Code is amended upon adoption of this ordinance to read as follows:

Sec. 110.35. Penalties.

(a) If anyone occupies a building without a certificate of occupancy or with an expired certificate of occupancy, the violator is subject to a fine based on the following schedules:

<u>Description</u>	<u>Fine for occupying without certificate of occupancy</u>
Residential	\$1,000
Commercial	\$2,000
Multi-Family	\$1,000 per unit
Fraternity/Sorority	\$2,000
Pool	\$500

<u>Description</u>	<u>Fine for occupying with expired certificate of occupancy</u>
Residential	\$100
Commercial	\$200
Multi-Family	\$100 per unit
Fraternity/Sorority	\$200
Pool	\$100

(b) At the discretion of the building commissioner, anyone who misses a required inspection may move forward with the project by paying a fine of \$250 and submitting to the city a certification letter on business letterhead, describing the uninspected work and an assurance that the permit holder is taking full responsibility for the uninspected work. At the building commissioner's discretion, the commissioner may reject such certification letter and require the permit holder to remove finishes to allow an inspection.

(c) Other than those violations described in subsections (a) and (b) of this section, if any person, firm or corporation shall violate any of the provisions of this chapter, and or chapter 111, or shall do any act prohibited herein, or shall fail to perform any duty lawfully enjoined, within the time prescribed by the building commissioner, or shall fail, neglect or refuse to obey any lawful order given by the building commissioner in connection with the provisions of this chapter and chapter 111 for each such violation, failure or refusal, such person, firm or corporation shall be fined in any sum not less than one hundred dollars, nor more than five hundred dollars in an amount based on the type of project as indicated in the following schedule:

<u>Violation Related to:</u>	<u>Fine</u>
Residential	\$100-\$500
Commercial	\$100-\$1,000
Multi-Family	\$100-\$1,000
Fraternity/Sorority	\$100-\$1,000
Planned Development Final Detailed Plan	\$100-\$500

(d) Each day of such unlawful activity as is prohibited by the first sentence of this section described in this chapter shall constitute a separate offense.

(e) The city may seek enforcement by court injunction to enjoin a violation of this chapter or chapter 111.

SECTION 4. Chapter 110, Section 42 of the West Lafayette City Code is amended upon adoption of this ordinance to read as follows:

Sec. 110.42 Permit to be exhibited.

The contractor shall, upon request, exhibit the contractor's city permit to any person for whom the contractor is working, or is offering to perform any work, or to any inspector of the city. **If the city issues a replacement permit card, the replacement permit card is subject to a fee of \$20.**

SECTION 5. Chapter 110, Section 43 of the West Lafayette City Code is amended upon adoption of this ordinance to read as follows:

Sec. 110.43. Notice to correct deficient work. If, during the course of the inspection of the work performed, the building inspector determines that work was not completed in a manner in compliance with the appropriate building codes or ordinances of the city, such work is to be corrected within a time specified by the building inspector or the building commissioner. If not timely corrected, the building commissioner shall inform the contractor in writing of the work which was not done in compliance with the building codes or ordinances by posting a notice to correct deficient work at the job site, and by mailing a copy of the notice to correct deficient work to the contractor at the address provided by the contractor at the time of application for the permit. A copy of such notice to correct deficient work shall also be forwarded by mail by the building commissioner to the bonding company of the contractor. In the event a reinspection is necessary on account of the failure to have the work timely completed in accordance with the written notice to correct deficient work and the various building codes and ordinances, a reinspection fee of ~~one hundred dollars~~ shall be charged: **based on the following schedule:**

<u>Description</u>	<u>1st</u>	<u>2nd</u>	<u>3rd and subsequent</u>
Residential	\$0	\$90	\$180
Commercial	\$0	\$160	\$320
Multi-Family	\$0	\$90 per unit	\$180 per unit

A certificate of occupancy shall not be issued until any reinspection fees have been paid.

SECTION 6. Chapter 110, Section 45 of the West Lafayette City Code is repealed upon adoption of this ordinance:

~~Sec. 110.45. Violation—penalty. Violation of any section of this chapter may subject the violator to a civil penalty of not less than one hundred dollars, nor more than five hundred dollars. For each day and for each job that a violation of this article occurs or continues, a separate and distinct violation is committed. The city may also seek enforcement by court injunction that such violation cease.~~

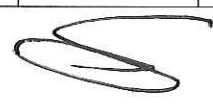
INTRODUCED ON FIRST READING ON THE 4 DAY OF June, 2018.

MOTION TO ADOPT MADE BY COUNCILOR Keen, AND SECONDED BY COUNCILOR DeBoer.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE

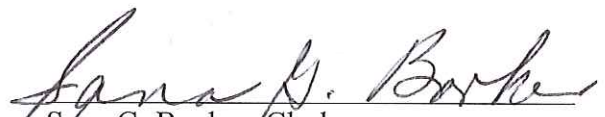
CITY OF WEST LAFAYETTE, INDIANA, ON THE 9 DAY OF July, 2018, HAVING BEEN PASSED BY A VOTE OF 6 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Bunder			✓	
DeBoer	✓			
Dietrich	✓			
Jones	✓			
Keen	✓			
Leverenz			✓	
Sanders	✓			
Thomas			✓	
Wang	✓			



Steve Dietrich, Presiding Officer

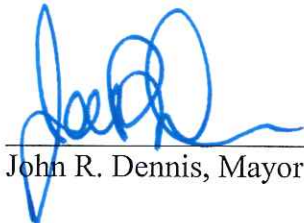
Attest:


Sana G. Booker, Clerk

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON THE 11 DAY OF July, 2018.


Sana G. Booker, Clerk

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 11 DAY OF July, 2018.


John R. Dennis, Mayor

Attest:


Sana G. Booker, Clerk