MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: Schedule of Fees for Permits, Licenses and Certifications – METHOD 2	Number: 26-05AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: March 1, 2006

Montgomery County Regulation on:

SCHEDULE OF FEES FOR PERMITS, LICENSES AND CERTIFICATIONS – METHOD 2

DEPARTMENT OF PERMITTING SERVICES

Issued by: County Executive
Regulation No.

Authority: Code Sections 8-13, 8-14, 8-24b, 8-28, 17-2, 17-10, 17-20, 27a-5(E), 22-13, 47-2, 47-4
Supersedes: Regulation Nos. 11-05 Schedule of Fees for Permits, Licenses and Certifications
Council review: Method 2 under Code Section 2A-15
Register Vol. No.

Comment Deadline: December 31, 2005
Effective Date: March 1, 2006
Sunset Date: None

SUMMARY: This regulation adds Section I titled "Permits with Maryland-National Capital Park and Planning Commission (MNCPPC) Site Plan Approval". This section increases fees for permits with MNCPPC site plan approval by 25%. On November 8, 2005, the County Council approved a special appropriation to the FY06 Operating Budget for the Department of Permitting Services for the creation of site plan enforcement inspection and review process. This special appropriation was needed to ensure that the Department of Permitting Services has sufficient resources to conduct height and setback inspections related to building permits for properties in zones that require site plan approval by the MNCPPC. All subsequent sections have been renumbered accordingly. The special appropriation also ensures that the Department of Permitting Services has the resources necessary to investigate complaints, attend administrative hearings, and represent the department in Court with regard to issues arising from these inspections. Fees for Well Location Permits subject to MNCPPC site plan approval were also increased. This regulation, in general, sets fees that cover the administration, plan-review and enforcement programs of the Department of Permitting Services.

This regulation also changes Section I. Building to Section II. Building Permits Without Maryland-National Capital Park and Planning Commission (MNCPPC) Site Plan Approval. The fees for retaining walls have also been corrected. This regulation has also been revised to include information previously omitted regarding electrical permits for air conditioners and Use and Occupancy Certificate.

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Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: March 1, 2006

ADDRESS: Department of Permitting Services
255 Rockville Pike, Second Floor
Rockville, Maryland 20850

STAFF CONTACT: Reginald Jetter, Chief
Division of Casework Management
240-777-6275

BACKGROUND INFORMATION: Whereas this regulation primarily affects changes in fees for building permits with Maryland-National Capital Park and Planning Commission (MNCPPC) site plan approvals, the regulation continues to allow the Department of Permitting Services to adjust all fees annually. The Department of Permitting Services was established as a fee-supported enterprise within the Executive Branch of Montgomery County in 1996. Fees that support the Department are established by Method 2 or Method 3 Executive Regulations and by County Council resolution. The Department of Permitting Services may raise fees annually by regulation by a percentage that does not exceed the rate of the increase (if any) in the department's approved personnel costs for the then-current fiscal year compared to the approved personnel costs for the preceding fiscal year. These cost increases reflect negotiated labor agreements, employee-benefit cost adjustments, proficiency advancements, and other personnel cost factors. Where possible, productivity enhancements will be made to minimize fee increases.

I. BUILDING PERMITS WITH MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION (MNCPPC) SITE PLAN APPROVAL

A. General

1. All fees required by this section must be paid prior to release of the permit and before the start of construction.

2. A filing fee must be paid at the time of application submittal. Filing fees are included in the permit fee.

3. Permit fees are calculated and collected for each permit application. When an application includes multiple buildings, a separate fee will be assessed to each building as defined in the building code, or as identified by a separate mailing address.

4. The maximum building permit fee is $172,955 per application or per building/address when multiple buildings are included in a single application. Revision fees are in addition to the original or maximum permit fees.

5. Plan revisions are considered changes made by the applicant to the approved construction documents.

B. One- and Two-Family-Attached and -Detached Dwellings and Related Accessory Structures

1. Application filing fee for new-building construction	$545
2. Application filing fee for addition, alteration or repair	$200
3. New construction:	
One- and two-family-detached dwelling unit per dwelling unit:	
Gross floor area less than 5,000 square feet (SF)	$1,105
Gross floor area 5,000 SF but less than 7,500 SF	$1,570
Gross floor area 7,500 SF or more	$2,050
One- and two-family-attached dwelling unit per dwelling unit	$715
4. Additions or alterations, or repair: $0.2325 per SF of the construction area	
5. Private in-ground swimming pool (including fence)	$315
6. Private above-ground swimming pool (including fence)	$165
7. Decks (opened unenclosed) 500 SF or less in area	$120
8. Retaining Walls	$120
9. Accessory buildings: : (Includes but is not limited to sheds, garages and gazebos)	
200 SF or less	$80
More than 200 SF, the greater of the application filing fee as determined in B 2. or $0.2325 per SF	

10. Plan Revision: $0.2325 per SF of revised area or the application filing fee per occurrence, whichever is greater. Each revision occurrence may include revision to one or more disciplines. Revisions submitted on different dates are considered separate occurrences.

C. Other Buildings and Structures

1. Application-filing fee for construction, alteration, addition, or revision (per occurrence); $545

2. New construction and additions: Is based on the cost of construction as determined by using the latest valuation data and procedures, as published by the International Code Council. The director will provide a worksheet and a formula that includes the latest numerical values of the valuation data and the local permit-fee multiplier to be used in determining the fee. The local permit-fee multiplier is $0.0191. An applicant must provide building dimensions, square footage, use group, construction type, and numbers of floors including basements, in order for the fee to be calculated.

3. Repairs, alterations and accessory structures: Is based on the cost of construction as provided by the applicant multiplied by the local permit fee multiplier. However, the department may verify and recalculate the cost estimation submitted by the applicant by using the latest valuation data and procedures, as published by the International Code Council. The director will provide a worksheet and a formula that includes the latest numerical values of the valuation data and the local permit-fee multiplier to be used in determining the fee. The local permit-fee multiplier is $0.0191. An applicant must provide building dimensions, square footage, use group, construction type, and numbers of floors including basements, in order for the fee to be calculated.

4 Plan Revisions: Fees are calculated in accordance with sections C.2. or C.3. above or the application filing fee per occurrence, whichever is greater. Each revision occurrence may include revision to one or more disciplines. Revisions submitted on different dates are considered separate occurrences.

D. Demolition Permit $240

E. Fence Permit $50

F. Use-and-Occupancy Certificates

1. The fee for a Use-and-Occupancy Certificate must be paid at the time of application. The maximum fee is $8,070.

2. The fee for any Use-and-Occupancy Certificate for each building or portion of a building or use is per square foot of area, as follows:

0 - 5,000 SF	$290
5,001 – 10,000 SF	$475
10,001 – 20,000 SF	$565
20,001 SF and up	$565 Plus
$0.0158 per SF of area exceeding 20,000 SF	

3. The fee for a Use-and-Occupancy Certificate for lots or parcels without buildings/structures on them is $290

4. The inspection fee for using or occupying a site without a Use-and-Occupancy Certificate is $120 in addition to the fee for the Use-and-Occupancy Certificate.

G. Well-Location Permit

Well-Location Permit (Each well) $105

H. Mechanical Permit

1. A minimum fee of $54 applies to all Mechanical Permits issued to one- and two-family-attached and -detached dwellings.

2. A minimum fee of $87 applies to all other Mechanical Permits.

3. Except for one- and two-family attached and detached dwellings, the base mechanical fee is 1.33% of the cost difference between the contract value and the value of listed equipment. The Department may require evidence of the contract value and equipment value. This fee is in addition to the equipment fee listed in this section. The following fee schedule applies to each piece of equipment.

New, replacement and repaired equipment:

a. Heating equipment (includes, but is not limited to, heat pump auxiliary heat, heating capacity of packaged units, duct heaters, VAV box heating elements, gas-fired fireplaces, etc.):
   Each 100 MBH or fraction $20

b. Cooling equipment (includes, but is not limited to, cooling capacity of heat pumps, packaged units, cooling boxes, cooling equipment with compressors, etc.):
   Each five ton capacity or fraction $20

c. Fuel tanks:
   Each 500 water gallons $44

d. Expansion tanks:
   Each 50 water gallons $44

e. Pre-fabricated fireplace (includes wood stoves)
   Each firebox $22

f. Pre-fabricated chimney
   Each chimney $11

4. Re-inspection fee $33

5. Work without permit $82

6. Consultation inspection (per hour or fraction) $112

II. BUILDING PERMITS WITHOUT MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION (MNCPPC) SITE PLAN APPROVAL

A. General

1. All fees required by this section must be paid prior to release of the permit and before the start of construction.

2. A filing fee must be paid at the time of application submittal. Filing fees are included in the permit fee.

3. Permit fees are calculated and collected for each permit application. When an application includes multiple buildings, a separate fee will be assessed to each building as defined in the building code, or as identified by a separate mailing address.

4. The maximum building permit fee is $138,365 per application or per building/address when multiple buildings are included in a single application. Revision fees are in addition to the original or maximum permit fees.

5. Plan revisions are considered changes made by the applicant to the approved construction documents.

B. One- and Two-Family-Attached and -Detached Dwellings and Related Accessory Structures

1. Application filing fee for new-building construction	$435
2. Application filing fee for addition, alteration or repair	$160
3. New construction:	
One- and two-family-detached dwelling unit per dwelling unit:	
Gross floor area less than 5,000 square feet (SF)	$885
Gross floor area 5,000 SF but less than 7,500 SF	$1,255
Gross floor area 7,500 SF or more	$1,640
One- and two-family-attached dwelling unit per dwelling unit	$570
4. Additions or alterations, or repair: $0.1860 per SF of the construction area	
5 Private in-ground swimming pool (including fence)	$250
6. Private above-ground swimming pool (including fence)	$130
7. Decks (opened unenclosed) 500 SF or less in area and retaining walls	$94
8. Retaining Walls	$94
9. Accessory buildings: (Includes but is not limited to sheds, garages and gazebos)	

200 SF or less $64
More than 200 SF, the greater of the application filing fee as determined in B.2. or $0.1860 per SF

10. Plan Revision: $0.1860 per SF of revised area or the application filing fee per occurrence, whichever is greater. Each revision occurrence may include revision to one or more disciplines. Revisions submitted on different dates are considered separate occurrences.

C. Other Buildings and Structures

1. Application-filing fee for construction, alteration, addition, or revision (per occurrence); $435

2. New construction and additions: Is based on the cost of construction as determined by using the latest valuation data and procedures, as published by the International Code Council. The director will provide a worksheet and a formula that includes the latest numerical values of the valuation data and the local permit-fee multiplier to be used in determining the fee. The local permit-fee multiplier is $0.0153. An applicant must provide building dimensions, square footage, use group, construction type, and numbers of floors including basements, in order for the fee to be calculated.

3. Repairs, alterations and accessory structures: Is based on the cost of construction as provided by the applicant multiplied by the local permit fee multiplier. However, the department may verify and recalculate the cost estimation submitted by the applicant by using the latest valuation data and procedures, as published by the International Code Council. The director will provide a worksheet and a formula that includes the latest numerical values of the valuation data and the local permit-fee multiplier to be used in determining the fee. The local permit-fee multiplier is $0.0153. An applicant must provide building dimensions, square footage, use group, construction type, and numbers of floors including basements, in order for the fee to be calculated.

4. Plan Revisions: Fees are calculated in accordance with sections C.2. or C.3. above or the application filing fee per occurrence, whichever is greater. Each revision occurrence may include revision to one or more disciplines. Revisions submitted on different dates are considered separate occurrences.

D. Demolition Permit $190

E. Fence Permit $38

F. Use-and-Occupancy Certificates

1. The fee for a Use-and-Occupancy Certificate must be paid at the time of application. The maximum fee is $6,455.

2. The fee for any Use-and-Occupancy Certificate for each building or portion of a building or use is per square foot of area, as follows:

0 - 5,000 SF	$230
5,001 – 10,000 SF	$380
10,001 – 20,000 SF	$450
20,001 SF and up	$450 Plus
$0.0126 per SF of area exceeding 20,000 SF	

3. The fee for a Use-and-Occupancy Certificate for lots or parcels without buildings/structures on them is $230

4. The inspection fee for using or occupying a site without a Use-and-Occupancy Certificate is $94 in addition to the fee for the Use-and-Occupancy Certificate.

G. Mechanical Permit

1. A minimum fee of $54 applies to all Mechanical Permits issued to one- and two-family-attached and -detached dwellings.

2. A minimum fee of $87 applies to all other Mechanical Permits.

3. Except for one- and two-family attached and detached dwellings, the base mechanical fee is 1.33% of the cost difference between the contract value and the value of listed equipment. The Department may require evidence of the contract value and equipment value. This fee is in addition to the equipment fee listed in this section. The following fee schedule applies to each piece of equipment.

New, replacement and repaired equipment:

a. Heating equipment (includes, but is not limited to, heat pump auxiliary heat, heating capacity of packaged units, duct heaters, VAV box heating elements, gas-fired fireplaces, etc.):
   Each 100 MBH or fraction $20

b. Cooling equipment (includes, but is not limited to, cooling capacity of heat pumps, packaged units, cooling boxes, cooling equipment with compressors, etc.):
   Each five ton capacity or fraction $20

c Fuel tanks:
   Each 500 water gallons $44

d. Expansion tanks:
   Each 50 water gallons $44

e. Pre-fabricated fireplace (includes wood stoves)
   Each firebox $22

f. Pre-fabricated chimney
   Each chimney $11

4. Re-inspection fee $33

5. Work without permit $82

6. Consultation inspection (per hour or fraction) $112

III. ELECTRICAL PERMIT AND LICENSE FEES

A. General

1. All fees required by this section must be paid before any permit is released, before any electrical work may begin, and before any inspection may be made.

2. A minimum fee of $76 applies to all electrical permits issued to one- and two-family attached and detached dwellings.

3 A minimum fee of $128 applies to all other electrical permits.

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B. Electrical Permits

1. Air conditioners: Apply the motor schedule (see item 18.)

2. Appliances, small* $ 7 each
   * Such as air filters, automatic-vent amperes, clothes washers or dryers, cooking appliances (stoves, ranges, built-ins), dishwashers, disposals, fans, (exhaust, attic), humidifiers, sump pumps, trash compactors, water heaters or other water-treatment appliances

3. Arc-vapor lamps, rectifiers or rheostat chargers for storage batteries $10 each

4. Battery packs $ 7 each

5. Commercial new construction: (includes all wiring, temporaries-pending- final, equipment/appliances within the structure)

Not over 100 Amps	$505
From 101 to 200 Amps	$630
From 201 to 300 Amps	$755
From 301 to 400 Amps	$885
For services over 400 Amps:	$885

plus $130 for each additional 100 Amps or fraction

6. Commercial tenant fit-ups, alterations, additions (includes all wiring, temporaries-pending-final, equipment/appliances within the space)

For low voltage or up to 20 devices	$130
For a single story up to 5,000 square feet	$190
For a single story from 5,001 – 10,000 square feet	$320
For a single story from 10,001 – 20,000 square feet	$380
For over 20,000 square feet or multi-story	$440 per story

7. Control wiring for heating, air conditioning, duct heaters, air handlers, and motor-control centers $18

8. Dental chairs $10

9. Electrical heating equipment (see motor schedule, item 18.)

10. Fire/security-alarm systems $32

11. Single-station smoke detectors (each) installed separately $ 3

12. First 20 fixtures $10
    Each additional 10 (or fraction thereof) $ 7

13. Gasoline pumps (each) $ 7

14. Heating equipment (other than strictly electrical):
    Residential or commercial: oil burners and gas burners, including controls (each) $10

15. Modular/mobile home $76

16. Motion-picture booths and equipment (each) $76

17. Meter stacks – replacements (each meter) $26

18. Motors, generators, rotating machinery, transformers, switch boards, electrical heaters, air conditioners (assumes 1 kw or 1 kva = 1 hp):

Under ½ HP	Charged as fixtures
½ HP to 10 HP (each)	$13
Over 10 HP to 20 HP (each)	$18
Over 20 HP to 30 HP (each)	$26
Over 30 HP to 50 HP (each)	$32
Over 50 HP to 75 HP (each)	$38
Over 75 HP (each)	$44

19. Outlets and rough wiring
    (1 to 20 lights, switches, or receptacles) $13
    Each additional 10 outlets or fraction $ 6

20. Radio, television, telephone (towers, dishes, microwave, relay systems, etc.) equipment $82

21. Service equipment, heavy-up, replacement, sub-panel, or relocation;
    0 to 400 Amp $32
    401 Amps and up $64

22. Signs (each Sign) $76

23. New Multi-family buildings (apartments, condominium dwelling units);
    For each dwelling unit $190
    (Common areas such as stairwells, laundry, and storage rooms are charged as individual units for each panel or sub panel required.)

24. Existing multi-family buildings (apartments, condominium dwelling units);
    For each dwelling unit $128
    (Common areas such as stairwells, laundry, and storage rooms are charged as individual units for each panel or sub panel required.)

25. One- and two-family dwellings and townhouses:
    The flat fees for all wiring, fixtures, appliances, etc., including temporaries pending final, are as follows:

    Up to 200 Amp $190
    201 to 400 Amp $280
    More than 400 Amp $380

26. Special deck inspections, slab concealment (each) $38

27 Sub-panels (see service equipment, item 21.)

28. Swimming pools, hot tubs, and spas, including circulating pumps, fixtures, and receptacles $64
    Bonding $18

29. Temporary wiring – carnivals, fairs, holiday decorations and tree lots, etc. (Includes panels, fixtures, outlets, etc.) $94

30. Temporary for construction $64

31. Transformers (see motor schedule, item 18.)

32. Transformer vaults, duct banks (outdoor transformer, enclosure substation, or a switch-and-meter vault on private property including wiring) $82

33. X-ray machines (each) $13

34. Any low-voltage work not previously specified
    1-20 devices $28
    Each additional 10 or fraction thereof $ 6

C. Electrical License Fees

1. Electrical Examinations

   a. Master Electrician & Master Limited $50
   b. Journeyman Electrician $32
   c. Homeowner's Electrical Examination Fee $32
   d. Homeowner's Electrical Re-Examination Fee $26

2. License and License Renewal Fees

   a. Electrical Contractor (per year) $115
   b. Master Electrician (per year) $115
   c. Master Electrician (Limited) (per year) $115
   d. Journeyman Electrician (per year) $50
   e. Apprentice Electrician (identification card) (per year) $26

3. Duplicate license or identification card $26

4. Re-examination fee $26

5. Late-renewal fee $50

6. Electrical contractor change of business name or status $50

7. Electrician Good Standing Letter Fee $26

IV. FIRE-CODE-PLAN-REVIEW FEES

A. General

1. All fees required by this section must be paid before any permit is released and construction is started.

2. The minimum application filing fee is $130.

3. Plan resubmittal means a new plan submitted, along with new permit application to incorporate change(s) or correction(s) to a plan that was previously rejected.

4. Plan revisions are considered changes made by the applicant to the approved construction documents. Revision fees are in addition to the original or maximum permit fees.

B. Fire-Protection-Systems Fees

1. Fire-alarm- and -detection systems (devices or household control panel)	$13 per device, Max $235/floor
2. Halon, CO2, or clean-agent systems (including controls, alarms, detection) Dry or wet chemical estinguishing systems	$188 per system
3. Fire-sprinkler systems	$ 2 per head
4. Fire pumps	$64

5. Standpipe systems:

a.	New systems (per standpipe riser)	$110
b.	Existing system (per each addition of a hose valve)	$32

C. Plan Resubmittal

1. First revision	50% of original fee
2. Second revision	75% of original fee
3. Each subsequent revision	100% of original fee

D. Plan Revisions' fee must be calculated as in item B above or shall be the application filing fee per occurrence, whichever is greater. Revisions submitted on different dates are considered separate occurrences.

V. VENDOR FEES

A. Application fee (non-refundable) $32

B. Operator Permit fee

1. For Non-Certified Agricultural Producers and their operators	$32
2. For Certified Agricultural Producers and their operators	$13

C. Point-of-Sale License for Vendors Who are not Certified Agricultural Producers

1. Base Rate (non-refundable)	$250
2 Per site for Site-Specific Vendor	$64

D. Point-of-Sale License for Certified Agricultural Producers

1. Base Rate (non-refundable)	$64
2. Per site for Site-Specific Vendor	$32

NOTE: A separate Point-of-Sale License is required for each vending activity at a site.

E. Temporary-Sales License

1. 60 consecutive days	$160
2. Daily Rate	$32

F. Performance Bond for Future-Delivery Vendor $1,095

VI. WELL-LOCATION PERMIT

Well-Location Permit (Each well) $85

VII. MISCELLANEOUS

A. Filing fees and permit fees are based on fees in effect on the date the application was filed. All other fees are based on fees in effect at the time the service is requested (revision fee, extension fee, etc.).

B. Refunds: Minimum permit filing and license fees are non-refundable. In the case of an abandonment or discontinuance of a project under permit, the person who has paid the permit fee may return the permit for cancellation and, upon cancellation, may be refunded up to 50 percent of the fee paid, less the filing fee or minimum fee, as appropriate, provided: (1) No construction has occurred, and (2) The written request for refund is made prior to the expiration date of the permit. Revoked, suspended, or invalid permits or licenses, or licenses or permits in litigation, are not eligible for refunds.

C. Extensions: The fee to extend a permit, after written application and before th expiration of the original permit, is the minimum permit fee applicable to the permit being extended.

D. Inspection Fees: (Does not include fire code inspection)

1. Initial inspection of sites or property where work is proceeding without a permit (except for mechanical work without a permit fee, which is $82) $94

2. First or second approved inspection of the same item or stage of construction for permitted work: Included in permit fee

3. Each re-inspection of the same item or stage of construction after two disapprovals (except for mechanical re-inspection fee, which is $33) $94

4. The re-inspection fee must be paid before an additional inspection is scheduled.

E Permit Application Revisions: The fee for revisions to permit information after submission by the applicant is $50.

F. Construction-codes modifications or interpretations: (Does not include fire code)

1. The fee for a construction-code-modification request for one- and two-family attached and detached dwellings is $110.

2. The fee for a construction-code-modification request for all other buildings, including multi-family dwellings, is $220.

G. Permit Denials: All permit requests that are denied because the applicant must apply to the Board of Appeals for a variance must include a non-refundable $50 processing fee.

VIII. INDEXING OF FEES TO LABOR COST INCREASES

The Director of Permitting Services must adjust each fee set in or under this regulation on July 1 of each year. The Department of Permitting Services may raise this fee annually by regulation by a percentage that does not exceed the rate of the increase (if any) in the department's approved personnel costs for the then-current fiscal year compared to the approved personnel costs for the preceding fiscal year.

For fees of $100 or more, the Director must calculate the revised fee to the nearest five dollars. For fees under $100, the Director must calculate the revised fee to the nearest dollar.

The Director must publish the amount of this adjustment not later than July 1 of each year.

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IX. SEVERABILITY

The provisions of these regulations are severable. If a court of competent jurisdiction holds that a provision is invalid or inapplicable, the remainder of the regulation remains in effect.

X. EFFECTIVE DATE

This regulation becomes effective March 1, 2006.

Douglas M. Duncan, County Executive

2/9/06
Date

Approved as to form and legality
Montgomery County, Md. County Attorney's Office
By:

Approved as to form and legality
Montgomery County, Md. County Attorney's Office
By: