

CHAPTER 155

BUILDING PERMITS

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155.01 PERMIT REQUIRED. It is unlawful within the City to build, remodel, or move into the City any structure or to change the type of occupancy of any dwelling, commercial or industrial structure without first obtaining a permit therefor.

155.02 APPLICATIONS AND FEES. Application forms for such permit shall be provided by the City, and when fully completed together with plans, specifications or satisfactory written descriptions, shall be filed with the Clerk. The following fee shall be paid at the time each application is filed with the Clerk:

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 - A. \$35.00 – proposed cost of improvement up to \$1,500.00
 - B. \$60.00 – proposed cost of improvement of \$1,500.01 to \$10,000.00
 - C. \$120.00 – proposed cost of improvement of \$10,000.01 to \$50,000.00
 - D. \$250.00 – proposed cost of improvement of \$50,000.01 to \$100,000.00
 - E. \$500.00 – proposed cost of improvement of \$100,000.01 to \$500,000.00
 - F. \$1,000.00 – proposed cost of improvement of \$500,000.01 to \$2,000,000.00
 - G. \$2,000.00 – proposed cost of improvement over \$2,000,000.00

(Ord. 575 – Jan. 18 Supp.)

155.03 INVESTIGATION. The Zoning Administrator shall investigate each application so filed and within seven (7) days make a determination as to whether the application is allowed under the City's Zoning Ordinance.

155.04 GROUNDS FOR DENIAL. If after such investigation of the application, it is determined by the Zoning Administrator that the proposed building does not conform to the general appearances or allowable uses of that zoning district, the application shall be denied.

155.05 CONDITIONS FOR APPROVAL. As a condition to approving an application, the Zoning Administrator may require changes in the material, design, or plan of the project contemplated or its location upon the property described.

155.06 SUSPENSION OR REVOCATION OF PERMITS. The Zoning Administrator may, for cause, suspend or revoke any permit issued by serving notice thereof on the permit holder and in such event all work and operations under the permit shall immediately cease until the cause of suspension or revocation has been adjusted. The permit holder shall have no claim against the Zoning Administrator or the City in damages for such suspension or revocation.

155.07 APPEALS. In the event the application for permit is denied by the Zoning Administrator, the applicant may appeal that denial to either the Zoning Board of Adjustment or the Planning and Zoning Commission.

155.08 COST OF APPEALS. Should an applicant wish to appeal any decision of the Zoning Administrator to either the Zoning Board of Adjustment or the Planning and Zoning Commission, the appeal shall be in writing, filed with the Clerk, and a fee of seventy-five dollars (\$75.00) shall be paid.

155.09 COUNCIL APPROVAL. All permits approved by the Zoning Administrator and special exceptions and/or variances approved by the Zoning Board of Adjustment and rezoning approved by the Planning and Zoning Commission shall be submitted to the Council for final approval. No such permit, special exception, variance or rezoning shall take effect until such Council approval.

155.10 TIME LIMITS. Work for which building permits are issued under the provisions of this chapter must begin within six (6) months of the date said permit is approved and said work must be completed within one (1) year. Extensions of the time limits can only be approved by the Council. No fees shall be charged for time extensions.

(Ord. 575 – Jan. 18 Supp.)

155.11 LIABILITY. The fact that the City issues said building permit in no way makes the City, or its representatives, liable in the event the applicant fails to comply with any other rules or regulations that may apply to such construction, change or remodeling.

155.12 RETROACTIVE BUILDING PERMITS. If any structure is built, remodeled, or moved into the City, or if the type of occupancy of any dwelling, commercial or industrial structure is changed without first obtaining a permit therefor, the Council shall at its option either require the destruction of the building or may approve a retroactive building permit. Subject to any applicable approved variances or easements, no retroactive building permit shall be issued unless the structure in question complies with the requirements of the Code of Ordinances.

1. Fees for retroactive building permits applied for before or on December 29, 2017 shall be the same as regular building permits as described in Section 155.02. The fees for a retroactive building permit applied for after December 29, 2017 shall be as follows:

- A. \$210.00 – proposed cost of improvement up to \$1,500.00
- B. \$360.00 – proposed cost of improvement of \$1,500.01 to \$10,000.00
- C. \$720.00 – proposed cost of improvement of \$10,000.01 to \$50,000.00
- D. \$1,500.00 – proposed cost of improvement of \$50,000.01 to \$100,000.00

E. \$3,000.00 – proposed cost of improvement of \$100,000.01 to \$500,000.00

F. \$6,000.00 – proposed cost of improvement of \$500,000.01 to \$2,000,000.00

G. \$12,000.00 – proposed cost of improvement over \$2,000,000.00

2. “Retroactive Building Permit” as used in this section is defined as a building permit that is applied for after the referenced structure(s) has been built, remodeled, or moved into the City, including those structures which are in the process of being built, remodeled, or moved into the City. They do not include time extensions as provided in Section 155.10.

(Section 155.12 – Ord. 575 – Jan. 18 Supp.)

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