

**Town of New Market  
Resolution No. 2017-01**

**Establishing Fees for Town Permits and Approvals required by the Land  
Development Ordinance 09-01**

WHEREAS the Town has passed Ordinance No. 04-04 and Ordinance No. 04-03 amending the zoning ordinance to remove zoning and subdivision fees and;

WHEREAS the Town deems it appropriate to set fees by resolution as needed from time to time to defray the cost of administering Town permits and approvals as provided in the Land Development Ordinance 09-01:

Article III; Section 1.0 General Review and Approval Procedures, 1.3 Fees and 4.7 Sign Permits

Article IV; Section 9.0 Fee Schedule for Subdivision and Site Plans

Article VII; Section 9.0 Development Right and Responsibilities Agreements, 9.9 Fees & Expenses.

WHEREAS the fees in this resolution supersede those established by any previously adopted resolution,

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of New Market hereby adopts the following schedule of fees:

**TOWN FEE PAYMENTS:**

- 1) **Town Filing Fees:** Filing Fees are non-refundable once the town has begun application review. Fees are not transferrable to other applicants.

**Town Administration & Review Fees:** A Town Administration & Review Fee is required for all Permits and Approvals labeled with a (TC) or a (+TC) notation herein. The Applicants are required to reimburse the Town for reasonable costs incurred by the Town from third parties who invoice the Town for their services rendered to the Town. All billing rates, fees, and out-of-pocket costs of all such third party costs shall be billed at their rates otherwise charged to the Town. Third party costs included, but are not limited to, engineering fees, consulting fees, legal fees, inspection fees, court reporting fees, advertisements costs for publishing and posting of public notices, etc. In addition to payment of the fees and expenses from third parties, the Applicant shall pay an administration fee equal to 15% of the total cost of the fees and expenses from third parties for Town administrative time and materials.

The Filing fee collected shall serve as a minimum base fee and will be applied to all outstanding bills and the Applicant will be billed for all fees, costs, and expenses in excess of the minimum base fee. All outstanding shall be paid in full prior to final town approvals. At any time during the processing of an application that the Applicant is more than thirty (30) days in arrears, all action on the application will cease until the Town's costs are reimbursed in full.

Applicants that withdraw pending requests before a determination has been made by the town are required to pay any Town Administration & Review Fee costs not covered by the Filing Fee that have been incurred up to the date of receipt of an applicant's written withdrawal.

The list of fees set forth herein is not all-inclusive. There may be other fees which are in addition to the fees set forth above and which are included in other ordinances and resolutions of the Town.

- 2) **Outside Fees:** This Fee Schedule does not include applicable fees required by Frederick County and other reviewing agencies. For those town permits and approvals for which the town utilizes the services of Frederick County staff to provide technical review and inspections, applicants are also required to pay applicable county fees. County services used by the town include but are not limited to building, electrical, plumbing, and grading permits as well as stormwater management approvals.

**Optional Third Part Inspections:** Upon the applicant's written request at the time of application filing, the Town may approve the applicant's employment and payment of a qualified Third Party Inspector who has been pre-approved by the town in order to provide certification to the town on compliance with Electrical, Life Safety, Plumbing, Mechanical and Building codes.

- 3) **Town Recordation Fees:** The Applicant shall bear the town's cost of recording and distribution for final plats and other documents that must be recorded with the Town Clerk and the Circuit Court of Frederick County. The Applicant shall reimburse the Town for the reasonable time spent by Town employees relating to the recording and distribution the documents on behalf of the Town. Town employees will log their time spent on the application and the Applicant shall reimburse the Town for this time at the rate of fifty (\$50.00) per hour or portion thereof.
- 4) **Departures:** The Town Council reserves the right to depart from these fees on a case by case basis when at its sole discretion it deems it appropriate to set a lower fee or to make a partial fee refund based on hardship or good cause shown.

#### **TOWN PERMIT FEES:**

1) **Building Permit Filing Fees**

b) Building Permits for New Construction

- i) Single family residential structures - \$300.00 including 1 site inspection by Town Zoning Administrator
- ii) Multi-family residential structures - \$300.00 per unit plus \$300 for parent structure including 1 site inspection by Town Zoning Administrator
- iii) Industrial & commercial structures - \$400.00 or \$1 for every \$1,000 of construction cost whichever is greater.
- iv) Additions to existing structures - \$275.00 including 1 site inspection by Town Zoning Administrator
- v) Accessory Structures including fences, sheds, decks, porches, private swimming pools, hot tubs, gazebos, carports, pavilions, solar arrays & wind turbines: \$75.00
- vi) Temporary Structures - \$275.00

c) Building Permits for Existing Structure Alterations, Renovations, Conversions or Fit-outs

- i) Alterations and Renovations, with no change in use - \$85.00

- n) Alterations, Renovations, or Conversions with a change in use \$100.00
- iii) Commercial and Industrial Tenant fit-outs - \$95.00

2) **Sign Permit Filing Fees** \$65.00

3) **Zoning Certificate Filing Fees** – (when no building permit is required)

- a) Business License request \$25.00
- b) Accessory Use Permit including Home Occupation \$25.00
- c) Occupancy Permit \$85.00
- d) Temporary Use Permit \$85.00
- e) Zoning Use Permit - for a Change in Use with no construction \$85.00
- f) Request for Verification of Records Letter (the specific research request shall be in writing.) \$110.00

4) **HDC & ARC Certificate of Appropriateness – Filing Fee:**

- a) Exterior alterations to existing structures and sites \$35.00
- b) Accessory structure including fences, sheds & decks \$35.00
- c) Additions to existing structures \$35.00
- d) Sign \$35.00
- e) Temporary Structures \$35.00
- f) New Single family residential structures \$45.00
- g) New Multi-family residential structures \$45.00
- h) New Industrial & commercial structures \$45.00
- i) Architectural Design Code in approved subdivision, \$200 (+TC)
- j) Design Matrix for new subdivision \$200 (+TC)
- k) Prototypical unit designs in approved subdivisions - \$35 per residential unit design.

5) **Minor Site Improvements & Grading Permit Filing Fee:**

- a) General Town Permit for site alterations that disturb less than 5,000 SF: \$85.00
- b) Grading Permits that disturb areas of 5,000 SF. or greater: \$400.00 (+TC)

5) **Demolition Permit Filing Fee** \$1,000 in addition to building permit fee.

6) **Driveway Permit**– For driveway connections to town roads & alleys not constructed under a Public Works Agreement:

- a) \$235.00 filing fee, \$500 refundable performance bond (+TC) for inspection by Town Engineer and bond release)

7) **Permit Compliance Inspection Filing Fee:**

Compliance inspection by the Town Zoning Administrator

- i) Initial town inspection of sites or property where work has occurred without a permit is \$175.00 in addition to the permit filing fee.
- ii) Fee for added Town site inspections if required, is \$175.00 which shall be paid prior to Town sign-off on the Certificate of Occupancy.

8) **Permit Revision Fee:** For application changes to permits either under review or previously approved: \$65.00

**TOWN PLANNING AND DEVELOPMENT APPROVAL FEES**

**1) General Requirements**

- a) Requests for an Approval Extension \$100.00 (+TC)

**1) Town Master Plan Amendment Requests: Filing fee \$1,500.00 (+TC)**

**2) Zoning Text Amendment Requests: Filing fee \$1,500.00 (+TC)**

**3) Zoning Map Amendment Requests:**

- a) Individual Piecemeal Request Filing Fee \$1,200.00 + \$20/per acre (+TC)
- b) Floating Zone reclassification Filing Fee \$2,200.00 + \$20/per acre (+TC)

**4) Floating Zone Master Plan Applications**

- a) Floating Zone Master Plan: \$2,200.00 plus \$10 per acre (+TC)
- b) Amendment to approved Floating Zone Master Plan: \$1,200.00 (+TC)

**5) Subdivision Plat Filing Fees:**

- a) Sketch Plan (if required):
  - i) Planning \$ 500.00
  - ii) Engineering \$110.00
- b) Preliminary Plat:
  - i) Planning Review Fee \$2,800.00 plus \$7/acre plus \$28/lot (+TC)
  - ii) Engineering Review Fee \$800.00 (+TC)
- c) Combined Preliminary Plat/Site Plan
  - i) Planning Review Fee \$4,500.00 plus \$7/ plus \$38/lot or dwelling unit whichever is greater. (+TC)
  - ii) Engineering Review Fee \$1,700(+TC)
- d) Combined Preliminary/Final Plats (if permitted)
  - i) Planning Review Fee \$2,500.00 (+TC)
  - ii) Engineering Review Fee \$ 300.00 (+TC)
- e) Final Plats
  - i) Planning Review Fee \$570.00 plus \$28/lot (+TC)
  - ii) Engineering Review Fee \$110.00 (+TC)
- f) Deed of Dedication and Resolution to take ownership of roadways \$400.00 (+TC)

**6) Site Plans**

- a) Residential Site Plans
  - i) Planning \$1,000 plus \$10/lot or dwelling unit whichever is greater (+TC)
  - ii) Engineering \$350.00(+TC)
  - iii) Pre-paid Compliance Inspection Fee for 1 inspection by Town Zoning Administrator: \$200.00, plus \$55.00 for each permit associated with a site plan to be paid at the time of initial permit application.
  - iv) Added Inspections, if required, at (+TC)
- b) Commercial/Non-Residential or Mixed Use Site Plan
  - i) Planning - \$1,200 plus \$88/disturbed acre
  - ii) Engineering - \$700.00
  - iii) Pre-paid Compliance Inspection fee for 1 inspection by Town Zoning Administrator: \$200.00, plus \$55.00 for each permit associated with a site plan to be paid at the time of initial permit application.
  - iv) Added Inspections if required at (TC)

**7) Minor Modifications to Site Plans & Preliminary Plats**

- i) Planning - \$700.00 (+TC)
- ii) Engineering - \$700.00 (+TC)

**10) Impact Studies**

- a) Preparation of Town managed traffic study by town consultant (+TC)
- b) Review of Developer managed traffic study (+TC)

**11) Forest Conservation Plans**

- a) Forest Stand Delineation Plan \$100.00 per sheet (+TC)
- b) NRI/FSD simplified \$75.00 plus \$1.00 per acre (+TC)
- c) NRI/FSD-intermediate/full \$200.00 plus @ 2.00 per acre (+TC)
- d) Preliminary Forest Conservation Plan \$200.00 per sheet (+TC)
- e) Final Forest Conservation Plan \$200.00 per sheet (+TC)
- f) Deeds or other documents not included in original submission \$85.00(+TC)
- g) Inspection Fees (TC)
- h) Modification & Variance Request \$85.00 (+TC)

**12) Improvement Plans** (includes town required landscaping plans)

- a) Filing fee: \$200.00/plan sheet (+TC)
  - b) Minor Improvement Plans, single sheet: \$450.00 (+TC)
- (Water, Sewer, erosion/sediment control, and SWM elements are submitted directly to the County for review and provided to the town for coordination review with the overall application.)

**14) Public improvement administrative documents/public works agreements:**

- a) Filing/processing fee (processing of cost estimates, performance agreements, sureties, etc. for dedicated or proposed public improvements) \$400.00 (+TC)
- b) Replacement or Modification of existing Performance Agreement/Surety: \$400.00 (+TC) per request
- c) Surety Release (TC)

**15) Board of Appeals:**

- a) Variance, Special Exception & Appeal Filing fee \$365.00 (+TC)
- b) Extension Request \$300.00 (+TC)

**16) Easement Documents** which require approval of the Town Council: \$365.00 (+TC)

**17) Developers Rights and Responsibilities Agreements (DRRA)**

- a) Filing Fee \$2,500 plus \$20/acre (+TC)
- b) Petition to Amend approved DRRA, Filing Fee \$1,200.00 (+TC)

Passed on: April 13, 2017

Effective on: April 13, 2017

Attest: Karen Durban, Clerk to Council Karen Durban

Hon. Winslow F. Burhans III, Mayor WFB

Lawrence "Jake" Romanell, *Vice President of Council* \_\_\_\_\_

Rita Mueller \_\_\_\_\_

Dennis Kimble Dennis Kimble

Shannon "Shane" Rossman \_\_\_\_\_

Michael Davies \_\_\_\_\_