

ORDINANCE 385-2023

AN ORDINANCE ESTABLISHING THE SCHEDULE OF PERMITS AND FEES OF THE CITY OF STILWELL, TO ESTABLISH THE VALUES HEREIN, EFFECTIVE JULY 1, 2023, AND REPEALING ALL PREVIOUS ORDINANCES 385-**.**

WHEREAS, in order to fulfill the needs of the community, policies and regulations are necessary to provide a framework for care and safety of the citizens of the City of Stilwell; and

WHEREAS, a periodic update of fees and permits for facilities and activities within the City of Stilwell is of paramount importance for intelligent oversight and fiscal responsibility, and

WHEREAS, the responsibility for such is the lawful responsibility of the City of Stilwell,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STILWELL, OKLAHOMA:

ARTICLE 1 – REQUIRED FEES AND PERMITS

The City of Stilwell requires the following permits be obtained before action and the listed fee to be paid in advance.

- Permits & Inspection Fees
- Trade Permits
- Property Maintenance Fees
- Occupational License
- Municipal Permits & Fees
- Trash Fees
- Park Fees

All fees are payable to City Hall with the following exception:

- Monthly trash fees are included on the monthly Stilwell Utility bill.

ARTICLE 2 – PERMITS AND INSPECTIONS

SECTION 1 – Construction Permits & Inspection Fees

Overall Code Compliance Plan Review

The City of Stilwell is the authority having jurisdiction in commercial construction within the City limits.

1. All new construction or substantial remodeling for commercial facilities requires an architectural review prior to a permit being issued. This review will be done by either the State Fire Marshall or an outside contractor.
2. The construction requires two sets of printed blueprints or emailed blueprints be submitted to the Community Development Department.
3. Once the plans are received, the cost of the review will be determined by the square footage of the construction, in accordance with the current contracted rate of the reviewing body. Once determined, the review fee must be paid prior to the actual review taking place. (Note: No portion of this fee is retained by the City)
4. Once the plans are approved, a building permit can be issued in accordance with the fee schedule listed below.

1 & 2 Family Dwellings:

New Construction:

- \$.10 per ft² of living area with a minimum of \$50.00 per permit plus an additional \$50.00 for inspections.

Remodel:

- \$.07 per ft² of living area with a minimum of \$25.00 per permit plus additional \$12.50 per required inspection to cover electrical, plumbing, and mechanical inspections. Total inspection fees should not exceed \$50.00 for remodel permits.

Multi-Family Dwellings:

New Construction:

- \$.10 per ft² of living area with a minimum of \$50.00 plus an additional \$50.00 per apartment to cover inspections.

Remodel:

- \$.07 per ft² of living area plus an additional \$12.50 per required inspection to cover electrical, plumbing, and mechanical inspections. Total inspection fees should not exceed \$50.00 per apartment.

Accessory Buildings:

New Construction:

- \$.10 per ft² but not less than \$30.00 per permit plus an additional \$12.50 per required inspection not to exceed \$60.00

Remodel:

- \$.07 per ft² but not less than \$30.00 per permit plus an additional \$12.50 per required inspection not to exceed \$60.00.

Boarding Houses, Hotels, Motels, & Dormitories:

New Construction:

- \$.10 per ft² of conditioned space plus an additional \$50.00 per room without a kitchen or \$75.00 with a kitchen to cover inspection fees.

Remodel:

- \$.07 per ft² of conditioned space plus an additional \$25.00 per inspection not to exceed \$75.00 without a kitchen or \$100.00 with a kitchen.

Non-Residential or Commercial:

New Construction:

- \$.15 per ft² of conditioned space plus an additional \$.05 per ft² or a minimum of \$200.00 to cover inspections.

Remodel:

- \$.07 per ft² of conditioned space plus an additional \$25.00 per required inspection. Total inspection fees shall not exceed \$.05 per ft² or be less than \$200.00.

In-ground Swimming Pools:

New Construction:

- \$50.00 per permit plus an additional \$25.00 per required inspection.

Portable Carports:

New Construction:

- \$25.00 per permit.

Demolitions:

- \$50.00 per permit which includes required inspections.

Other Construction:

Driveways, culverts, curbs, burn-pits, or any other construction not named above:

- \$.07 per ft² with a minimum of \$10.00 per permit plus an additional \$25.00 for required pre- and post-inspections. Any required additional inspections are \$12.50 each.

Re-Inspection Fees:

Any item that does not meet code and must be re-inspected will require a 24-hour notice for re-inspection and payment of a \$25.00 re-inspection fee to be paid at the City Office prior to re-inspection unless otherwise stated above.

SECTION 2 – Signs

Permanent signs:

- \$.10 per square foot with a minimum of \$10.00 and
- inspection fee of \$25.00 per required inspection

Yard sale and temporary signs:

- No fee

SECTION 3 – OUBCC Permit Fee:

All building permits require an Oklahoma Uniform Building Code Commission Fee: \$4.50

ARTICLE 3 – TRADE PERMITS

SECTION 1 – General Information

All contractors who wish to do business within the city limits of Stilwell, OK will be required to have a Trade Permit.

In order to obtain a permit an electrical, mechanical, or plumbing contractor must:

1. fill out an application with the City of Stilwell
2. present a valid Photo ID,
3. present a valid State of Oklahoma Trade license with a current effective date,
4. provide proof of a surety bond and provide a current proof of insurance with a minimum liability of \$50,000.00 single limit for bodily injury and property damage.

A roofing contractor must:

1. meet the above requirements and
2. must have a minimum of \$500,000.00 liability insurance for residential roofing, or \$1,000,000.00 for commercial roofing.

All Trade Permits are due and renewable on the anniversary date of permit.

SECTION 2 – Permits and Fees

Electrical Permit:

- Contractor—\$50.00 per year
- Journeyman—\$25.00 per year
- Apprentice—\$10.00 per year

Mechanical Permit:

- Contractor—\$50.00 per year
- Journeyman—\$25.00 per year

Plumbing Permit:

- Contractor—\$50.00 per year
- Journeyman—\$25.00 per year
- Apprentice—\$10.00 per year

Roofing Contractor Permit:

- Contractor—\$100.00 per year

Home Inspection Permit:

- Residential Inspector—\$25.00 per year

Building Inspection Permit:

- Building Inspector—\$25.00 per year

ARTICLE 4 – PROPERTY MAINTENANCE FEE

Properties that are found to be in violation of:

1. IPMC (International Property Maintenance Code),
2. IBC (International Building Code),
3. IRC (International Residential Code), or the
4. IEBC (International Existing Building Code)

will be assessed a \$200 fee to offset the cost of required inspection, abatement, or other necessary actions by the municipality.

ARTICLE 5 – OCCUPATIONAL LICENSE FEE

Existing Businesses:

This is an annual permit that businesses are required to obtain by July 31 of every year for the period from July 1 of the current year through June 30 of the next calendar year. The following information is required to issue an occupation license:

1. Owner

- a. Name
- b. Physical Address
- c. Mailing Address
- d. Phone Number

2. Business

- a. Business Name
- b. Physical Address
- c. Mailing Address
- d. Phone Number

e. Type of Business

New or Relocated Businesses:

For new businesses or businesses that are relocating, an occupational license application must be filled out and an inspection is required.

Occupational Fees:

- \$25 except as listed below:

Relating to the Sale of Alcoholic beverages (37A § 1-103) are set forth as follows:

- Brewer, per year 600.00
- Brewpub, per year 600.00
- Distiller, per year....600.00
- Rectifier, per year 1200.00
- Retail spirits store 600.00
- Retail beer and wine store 500.00
- On premises mixed beverages, first year 500.00
 - Renewals, per year 400.00
- On premises beer or wine, first year 500.00
 - Renewals, per year 400.00
- Mixed beverage/caterer combination 750.00
 - Renewals, per year 600.00
- Winemaker, per year 500.00
- Wholesaler, Wine and Spirits per year 1500.00
- Wholesaler, Beer Distributor per year 500.00

ARTICLE 6 – MUNICIPAL PERMITS AND FEES:

Burn Permit:

- \$10.00 for 3 days
- City residents 65 & over no charge, but must obtain a permit prior to burning, proof of residency and age is required.

Residential Sale Permit:

- \$5.00 for 3 days
- City residents 65 & over no charge, but must obtain a permit prior to sale, proof of residency and age is required.

Accident Report:

- \$10.00

Fire Report:

- \$10.00

Fingerprinting Fee:

- \$10.00

Community Building Fees:

- All Rentals: \$150.00 deposit/\$100.00 rental
- If Police Security is required there will be an additional \$25.00 per hour fee with a minimum of 4 hours.

Animal Fees:

- Pet License (for 12 months from purchase date): \$5.00
- Animal Control pick-up fee within a 6-month time period:
 - 1st \$50.00
 - 2nd \$75.00
 - 3rd \$100.00
 - 4th up Put up for possible adoption
- Boarding fee per day after pick-up: \$25.00 per day
- Animal Surrender: \$50.00

Vendors:

Each itinerant vendor, solicitor or peddler shall obtain a license from the city prior to any soliciting in the city to cover each person who will be soliciting and each location or separate place of business.

Owners or lessees of buildings or other sites in which itinerant vendors operate or locate must obtain a blanket license covering all itinerant vendors who will be established in the building or site controlled by the owner or lessee.

Itinerant Vendor

The fee for an individual itinerant vendor license shall be:

- For one day - \$10
- For one week - \$25
- For one month - \$50
- For six months - \$100

The fee for a blanket itinerant vendor license shall be:

- For one day - \$30
- For one week - \$75
- For one month - \$280

(vendors must also have individual licenses)

The fee for a non-itinerant vendor license shall be:

- Personal and/or Non-Profit (3 Day) \$5.00
- Commercial (3 day) \$35.00; (30 Days) \$100.00; (90 days) \$300.00

Special Event: No fee – refundable cleaning deposit

- Zero (0) to five (5) vendors \$100.00
- Six (6) to ten (10) vendors \$200.00
- Eleven (11) or more vendors \$300.00

Machine, Door to Door, Novelty:

- Machine: \$25.00 (per vendor per 12 months)
- Door to Door: \$50.00 (per month)
- Novelty: \$25.00 (per 12 months)

Telecommunications:

- Special Permit (12 Months): \$250
- Annual Renewal: \$200

ARTICLE 7 – TRASH FEES

SECTION 1.

The basic rate for collection and removal of garbage and refuse by the City of Stilwell is as follows (Commercial rates apply to all Business and non-residential):

- In City Residential Base Rate \$12.00 per month 1 day per week pick-up
- Out of City Residential Base Rate \$17.00 per month 1 day per week pick-up
- Commercial Base Rate 1 \$27.50 per month 1 day per week pick-up
- Commercial Base Rate 2 \$30.00 per month 2 day per week pick-up
- Commercial Base Rate 3 \$32.50 per month 3 day per week pick-up
- Commercial Base Rate 4 \$35.00 per month 4 day per week pick-up
- Commercial Base Rate 5 \$37.50 per month 5 day per week pick-up

SECTION 2.

The Dumpster rates for collection and removal of garbage and refuse are as follows:

1 day per week pick-up.

- 1st Dumpster Additional \$24.50 per month
- 2nd Dumpster Additional \$16.50 per month
- 3rd Dumpster Additional \$12.50 per month

2 days per week pick-up

- 1st Dumpster Additional \$28.50 per month
- 2nd Dumpster Additional \$20.50 per month
- 3rd Dumpster Additional \$16.50 per month

3 days per week pick-up

- 1st Dumpster Additional \$32.50 per month
- 2nd Dumpster Additional \$24.50 per month
- 3rd Dumpster Additional \$20.50 per month

4 days per week pick-up

- 1st Dumpster Additional \$36.50 per month
- 2nd Dumpster Additional \$28.50 per month
- 3rd Dumpster Additional \$24.50 per month

5 days per week pick-up

- 1st Dumpster Additional \$40.50 per month
- 2nd Dumpster Additional \$32.50 per month
- 3rd Dumpster Additional \$28.50 per month

SECTION 3.

Short-term dumpster rental is available. The fee for the rental is \$100.00 for one week and includes one dump. Additional dumps per week will cost \$25.00 each.

SECTION 4.

All City residents who are age 65 or older can receive a 20% discounted rate for trash services within the city. To receive the discount application must be made at the Stilwell City Hall. Proof of residency and age is required.

SECTION 5.

Out of city trash pick-up is available only for those who live adjacent to the City of Stilwell boundaries or an established trash route as determined by the Sanitation Department.

ARTICLE 8 – PARK FEES

SECTION 1.

Adair Park

Camping – No person may stay at one site longer than 14 consecutive days.

- Daily Rate is \$20.00
- Weekly rate, seven days, is \$100.00

Pavilion Reservation

- \$20.00 for 6 hours plus \$100.00 refundable deposit.
- \$40.00 6:00 a.m. to 11:00 p.m. plus \$150.00 refundable deposit.

SECTION 2.

Carson Park

Splash Pad – \$50.00 refundable deposit plus:

- Two Hours \$100.00
- One Hour \$60.00

SECTION 3.

All Park Facilities

Tournaments – contract required

- Carson Park – type-specific fees plus a \$100.00 refundable deposit.
- Adair Park – \$200.00 plus a \$100.00 refundable deposit.
- Other – type-specific fees and refundable deposit.

Use of specific park area

- Gathering of 25 people or less is \$50.00 plus \$100.00 refundable deposit
- Gathering of 25 to 50 people is \$100.00 plus a \$150.00 refundable deposit
- Gathering of 50 to 75 people is \$150.00 plus a \$200.00 refundable deposit
- Gatherings larger than 75 people would require permission from the City Council, a \$200.00 fee, and a \$300.00 refundable deposit.

All of the aforementioned fees in this section can be waived or changed by the City Council, however deposits will remain due to the potential cleanup or damage that may occur.

ARTICLE 9 – PENALTY FOR NON-COMPLIANCE

Any person, firm, or corporation in violation of the requirements of this ordinance:

1. May be subject to a penalty in the amount equal to, but not more than, twice the amount of the original fee(s) assessed for every month they are in violation.
2. Any work being done may be stopped until compliance with proper permits and licenses are obtained.
3. If work already completed interferes with a full and complete inspection, it may be required to be removed to ensure compliance with current ordinances.
4. After three months of non-compliance, a commercial facility can be summarily closed until the facility is in compliance.

ARTICLE 8 – REPEAL AND SEVERABILITY

1. This Ordinance, and all within, shall be effective from July 1, 2023, until updated and/or replaced by the council.
2. Any and all other existing ordinances or portions thereof in conflict herewith be and the same are hereby repealed.
3. The provisions of this ordinance shall be severable and, if any of the provisions shall be held in contravention of the Constitution and laws of the State of Oklahoma, the decisions of the court shall not affect the validity of the remaining portions.
4. It is the intent of this ordinance that the same would have been adopted had such unconstitutional or unlawful provisions, if any, not been included herein.

PASSED by the City Council this 5th day of June, 2023.

APPROVED by the Mayor this 5th day of June, 2023.

ATTEST:

Jean Ann Wright, Mayor

Larry A. Nettles, City Clerk-Treasurer