Proposed Amendment to Chapter 61 (Building Provisions)
of
The Code of the County of Fairfax, Virginia

Amend Article 1 (Administration and Standards), Section 61-1-3, Fees, by revising paragraph (d) and subparagraph (d)(1), Standard fees and administrative provisions, to read as follows and deleting subparagraph (d)(2), Other fees.

Section 61-1-3. Fees.

(a) No permit to begin work for new construction, alteration, removal, replacement, demolition or installation of any building, structure or equipment, or any other building operations which are regulated by the USBC, shall be issued until the fees prescribed in paragraph (d) of this section have been paid; nor shall an amendment to a permit necessitating an additional fee because of an increase in the size of the building, an increase in the estimated cost of the work involved, or the installation of any additional equipment be approved until the additional fees have been paid.

(b) All fees for permits required under the provisions of the USBC shall be paid prior to issuance of the permit and prior to initiation of the work covered by such permits or as required by the Building Official.

(c) A building permit shall be issued to construct, improve or alter the following:

1. Each single-family attached or detached dwelling.

2. Dwelling units and common interior areas in a multiple-family dwelling.

3. Each space within a strip shopping center, and each warehouse bay in a strip warehouse.

4. Each unit and interior common area in a condominium office building.

5. Each commercial or residential structure not addressed above.

Separate electrical, mechanical, plumbing, fire alarm, fire suppression and fire lane permits are required to install or alter electrical, mechanical, plumbing, fire alarm, fire suppression and fire lane equipment in dwelling units, structures or areas of a structure for which a separate building permit has been issued.

(d) ~~The following~~ The ~~f~~Fees ~~to cover the cost of~~ for reviewing plans, issuing permits, performing inspections, licensing home improvement contractors and other expenses incidental to the enforcement of the USBC and Chapters 61, 64, 65 and 66 of the Code of the County of Fairfax are listed in Appendix Q of this Code. ~~are hereby adopted:~~ Fees shall be collected and paid in accordance with Appendix Q and the following provisions:

~~*(1) Standard fees and administrative provisions:*~~

~~(A) Standard Fees (fees apply to building, electrical, mechanical, plumbing, fire alarm, fire suppression and fire lane permits):~~

1. *Base fee:* ~~*$85.00.*~~ The base fee shall be the minimum fee for ~~apply to~~ any permit for which the fee charged would otherwise be less than the base fee except ~~$85.00. A reduced permit fee shall apply~~ as noted below.

2. *Reduced fees (does not apply to Fire Prevention Division fees for fire alarm, fire suppression and fire lane permits):*

a. *Multiple permits:* ~~A fee of $30.00 per unit~~ Fees shall apply provided all of the following conditions are met:

(1) The permit application is one of a group of ten or more applications or a single application for ten or more units to be issued for the installation of the same or similar fixtures, appliances, or minimal alterations in existing dwellings on adjacent lots, in an existing multiple-family building or an existing commercial structure; and

(2) Plan review is required by only one plan review discipline, i.e., building, electrical, mechanical or plumbing, prior to permit issuance; and

(3) Only one inspection per permit is required; and

(4) Inspections are scheduled for no fewer than ten permits or units on the same day; and

(5) The request for the multiple permit fee shall be made in writing, and

(6) The fee for the permit would otherwise be the base fee.

A re-inspection fee ~~of $83.00~~ may be assessed for each unit for which an inspection is rejected and a re-inspection performed.

b. ~~*Fee for p*~~*Permits requiring no inspections:* ~~A~~ This fee ~~of $30.00 per permit~~ shall apply to those permits for which no individual inspections are required to be performed pursuant to policies and guidelines issued by the Building Official.

c. *Casualty Permits:* ~~The fee for~~ There shall be no fee or permits to repair, replace, or otherwise re-construct a residential, commercial, or industrial structure damaged as the result of a catastrophic event ~~shall be $0.00~~, subject to the following provisions:

(1) The declaration of a catastrophic event must have been proposed by the County Executive and must have been approved by the Board. Such declaration shall be subject to the notice and hearing requirements of Va. Code Ann. § 15.2-2204 and any amendments thereto.

(2) The scope of the event shall be clearly delineated by means of the affected geographic area and/or a range of dates during which the disaster occurred;

(3) For purposes of this section, catastrophic events are limited to those resulting from natural causes such as floods, hurricanes, earthquakes, or other such "Acts of God," damage that results from an act or acts of terrorism, war, riot, or other such civil disturbance, and may also include situations where the destruction or damage from such causes was exacerbated by human agency, such as, for example, the construction of bridges, dams, or other such public works projects, but shall not include situations caused by the intentional acts or negligence of the owner or his agent.

(4) Destroyed or damaged structures must have been lawfully established pursuant to a valid building permit, Residential Use Permit, or Non-Residential Use Permit, and compliant with applicable County ordinances and State codes;

(5) Destroyed or damaged structures must have been in a habitable condition or otherwise lawfully used or occupied immediately prior to the casualty;

(6) The casualty permit shall be limited to the reconstruction of or repair to the property that is damaged by the event and shall not be transferable to another property impacted by the event and further shall only be used to reconstruct the structure to its condition prior to the casualty event rather than used to construct an expansion, addition, or substantial renovation;

(7) The permit for the reconstruction or repair must be obtained within six months of the declaration of the catastrophic event. In the event that the scope of the catastrophe is of such a scope that the issuance of permits to all affected structures is impractical in such a time frame, the Board may, with approval from the County Executive, extend this period for an additional six months.

3. All fees for permits issued on a base fee or reduced fee basis shall be paid in full at the time of permit application.

4. *After-hours inspection fee (does not apply to Fire Prevention Division fees for fire alarm, fire suppression and fire lane permits):* A fee ~~of $190.00~~ shall be charged for each thirty minute period, or fraction thereof, of inspection time requested to take place after regular working hours. Any such inspection(s) shall be authorized by the County and the fee paid prior to the inspection. This fee shall be in addition to the fee for the required permit which authorizes performance of the work.

5. *Amendment of permit:* Thi~~s~~e fee is to amend a permit application after creation of the permit record ~~shall be $30.00, the fee for any equipment added or the fee for any additional work involved, whichever fee is greater~~. Before a final inspection is approved, the appropriate fee shall be paid and a permit must be issued for all work performed which is not authorized by the original permit.

6. *Annual permit fee:*

a. The fee for an annual permit which authorizes the performance of specified work for a 12-month period shall be the base fee.

b. The fees for any separate permits required pursuant to the policies and guidelines of an annual permit shall be as required by Appendix Q of the Code ~~the fee schedule~~. The policies and guidelines for an annual permit may provide for the issuance of specific separate permits at the reduced fee.

7. *Asbestos removal/abatement:* The fee for a permit to remove or abate asbestos from a structure shall be as prescribed in Appendix Q~~the base fee~~.

8. Demolition: In the case of demolition of an entire structure, a signature bond in the amount of $1,000.00 for residential structures and $5,000.00 for commercial structures shall be posted. The bond shall remain in effect until the demolition permit has received an approved final inspection.

~~*(B) Administrative provisions:*~~

9~~1.~~ *Expiration of permit applications:* An application for a permit for any proposed work shall be deemed to have been abandoned and expired six months after the date of filing, unless the applicant has diligently sought to resolve any problems that are delaying issuance of the permit or the permit has been issued. The burden of proof that the applicant has diligently sought to resolve any problems that are delaying issuance of a permit shall be on the permit applicant, owner of the property or other person affected by such determination of the Building Official. Filing fees for expired permit applications are not refundable.

The Building Official shall grant one or more extensions of time for additional periods if there is reasonable justification.

10~~2~~. *Fee payment credits:* All permit fees paid at the time of permit application shall be credited toward the full cost of the permit when the permit is issued.

11~~3~~. *Fee transfers:* Permit fees are not transferable.

12. *Household appliance fees:* Permanently wired or plumbed appliances may be installed in an existing dwelling using a household appliance permit, provided the capacity of the electrical panel or gas service is not exceeded and the electrical circuitry, gas piping and plumbing is existing. A household appliance permit may also be used when a permit is required for the replacement of a listed appliance provided the above criteria are met.

PERMIT REQUIRED FOR NEW INSTALLATIONS ONLY

Air cleaner/filter
Air conditioning condensing unit
Bathtub
Clothes dryer, gas/electric
Dehumidifier
Disposal
Fan, attic
Fan, ceiling
Fan, exhaust
Furnace, electric
Heat pump
Hose bib
Humidifier
Ice maker
Laundry tub
Lighting Fixtures
Oven, gas/electric
Pressure reducing valve
Shower
Sink
Smoke detector (wired-in) – no fee
Solar energy equipment – no fee
Stove, gas/electric
Sump pump
Toilet
Trash compactor
Water heater, electric/gas/oil
Water treatment equipment

Permits are required for the replacement of the fixtures and appliances listed above if the installation requires a change to: 1) duct systems; 2) plumbing supply, drain waste or vent piping; 3) electrical circuits; 4) appliance vent system; or 4) gas piping.

PERMITS REQUIRED FOR BOTH NEW AND REPLACEMENT INSTALLATIONS

Centralized air-conditioning systems
Clothes dryers, gas
Furnace, gas/oil
Gas logs
Gas/oil
Gas stove/heater
Oven, gas
Prefabricated chimney
Prefabricated fireplace
Water heater, gas/oil
Wood stove/heater

13~~4~~. *Modular residential units, including manufactured homes:* Fifty percent of the regular permit fee shall be imposed on residential units constructed and installed under the Virginia Industrialized Building Safety Regulations or the Virginia Manufactured Home Safety Regulations.

14~~5~~. *Non-permitted work:*

Failure to obtain a permit prior to beginning work: An additional fee ~~of $85.00~~ shall be assessed for those permits obtained pursuant to a written directive or order from the Building Official or designee for failure to obtain a permit required by the USBC. This fee shall be in addition to any permit fees normally required and shall be assessed to defray the costs associated with administration and enforcement of the USBC.

15~~6~~. *Permit extensions:* Upon written application of the permittee prior to the expiration of the permit, the Building Official or his designee may extend the permit for up to one year from the date of expiration of the permit. No fees shall be charged for the first permit extension allowed by the USBC and the Code of the County of Fairfax. Additional requests for permit extensions must be accompanied by the processing fees ~~noted below~~ in Appendix Q of the Code.

~~Permit authorizing construction of:~~

~~interior alteration to an existing building $ 30.00~~

~~an addition(s) or exterior alteration(s) to an existing residential structure (R-3, R-4, and R-5) $ 30.00~~

~~an accessory structure(s) on a residential property (R-3, R-4, and R-5) $ 30.00~~

~~a new structure (other than noted above) $190.00~~
~~an addition(s) to a non-residential structure $190.00~~

Separate fees shall not be charged for extending mechanical, plumbing, electrical, fire alarm, fire suppression or fire lane permits associated with a request for the extension of a building permit.

16~~8~~. *Re-inspection fee (does not apply to Fire Prevention Division fees for fire alarm, fire suppression and fire lane permits):* A re-inspection fee ~~of $83.00~~ may be assessed for each additional inspection that is required to be made because a scheduled inspection is rejected for one or more of the following reasons: 1) the work is not installed in accordance with applicable codes; 2) the work is not ready for inspection; or 3) access to the work to be inspected is not provided. A re-inspection fee may also be assessed for each inspection performed pursuant to a stop work order.

17. *Refunds:* In the case of a suspension, revocation or expiration of a permit or the expiration of a permit application, the permittee, upon written request within 6 months after such suspension, revocation or expiration, may receive a refund for the amount of work the County has not performed. The amount of the refund shall be determined as follows:

- All plan examination and permit processing fees shall be deducted from the original permit fee.

- All costs that may have been imposed on the permit holder under the requirements of the USBC and the Code of the County of Fairfax shall be deducted from the original permit fee.

- The amount of work that has received an approved inspection by the County shall be determined and a proportionate share shall be deducted from the original permit fee. Any excess fee for the uncompleted work shall be returned to the permit holder. No refunds will be issued for base or reduced fee permits.

18. *Replacement of defective sprinkler heads:* No fee shall be charged for a fire suppression permit to replace sprinkler heads determined to be defective by the Fairfax County Fire Marshal pursuant to the Virginia Statewide Fire Prevention Code.

19. *Shelters:* No fee shall be charged for a building permit for a radiation fallout or blast shelter constructed on land occupied for residential purposes by not more than two families, for use as shelter only and constructed in accordance with one of the shelter types or designs approved by the Federal Emergency Management Agency.

20~~10~~. *Solar energy:* No permit fee shall be charged to install solar energy equipment, although a permit is required for such installations and the permit holder is subject to the re-inspection fee.

21~~9~~. *Team inspections:* A fee shall be paid for each inspection involving an application for a change in use, change in occupant or other special request which requires inspection by one or more of the following disciplines: Building, Electrical, Plumbing, Mechanical and/or the Fire Marshal. ~~If all disciplines mentioned above are involved in inspections, the fee shall be $400.00. Should the inspections not involve all disciplines, a fee of $83.00 shall be paid for each discipline taking part in the inspection.~~ These fees are not credited toward the cost of permits. If the inspection is canceled 24 hours in advance by the applicant, and not conducted, the fee is refundable upon application in writing to the Building Official within three months of the date of payment.

22. *Tenant layouts:* Except for those tenant layouts shown on the originally approved plans for a new building, separate building permits shall be required for each tenant layout~~, at a rate of 3.2% of the estimated cost of the work~~. The fee shall be based on a percentage of the estimated cost of the work. A fee per plan review discipline. (i.e., building, electrical, mechanical or plumbing) may be assessed for each resubmission of plans for alterations to existing commercial buildings.

23. *Removal and Relocation:* The permit fee for the removal of a building or structure from one lot to another or to a new location in the County shall be based on ~~calculated at the rate of 1.9% of~~ the cost of moving ~~plus 1.9 % of~~ and the cost of all work necessary to place the building or structure in its completed condition in the new location. In addition to a building permit to construct the foundation at the new location, a separate building permit is required to demolish any foundation at the original location.

24. *Temporary Structures:* The fee for temporary structures includes~~ing~~, but is not limited to tents, produce stands and sales office trailers. Sheeting and shoring are not considered temporary structures for the purpose of determining fees.

25. *Partitions:* A permit fee shall be paid ~~The fee~~ for the erection of partitions (metal studs only) in unoccupied space in a previously unoccupied commercial structure, pending approval of tenant layout plans.