

Resolution No. 30-2016

**A RESOLUTION AMENDING RESOLUTION NO. 26-2016 OF THE CITY OF DERBY, KANSAS; ESTABLISHING FEES, CHARGES AND TAXES AUTHORIZED PURSUANT TO CITY ORDINANCE FOR SERVICES RELATED TO LAND USE APPLICATIONS; BUSINESS AND CONTRACTOR LICENSING AND BUILDING INSPECTION; ADMINISTRATIVE SERVICES; OPERATION OF THE MUNICIPAL COURT; AND OTHER SERVICES RENDERED BY OR THROUGH CITY FORCES; AND REPEALING ORIGINAL RESOLUTION NO. 26-2016.**

**WHEREAS**, the Governing Body of the City of Derby, Kansas (the “City”) is authorized to establish by resolution various fees, charges and taxes to be paid in connection with requirements imposed or services provided pursuant to City ordinance;

**WHEREAS**, the Governing Body has heretofore adopted its resolution no. 26-2016 establishing such fees, charges and taxes, has from time to time amended specific provisions of the same, and now desires to repeal said resolution no. 26-2016 and all amendments thereto and to substitute therefore the fees, charges, and taxes for those established therein;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF DERBY:**

**Section 1. Fees established.** As authorized by City ordinance, the following fees and charges are hereby established for the various requirements and services provided for in or authorized by the Derby Municipal Code and other ordinances of the City, as the same may from time to time be amended.

**Section 2. Businesses.**

Business registration	
Initial registration	\$20/year
Renewal registration	\$20/year
Late renewal (after January 31)	\$30/year
Insufficient Funds/Returned Check	\$40 each
Re-Issuance of Adult Cabaret Entertainer License Upon Change of Business Name <sup>1</sup>	\$20/adult cabaret entertainer
Temporary Use Permit	\$25 each
Pawnbroker/Precious Metal Dealer	\$100 application plus \$25 license
Mobile Food vending	
One week	\$25/week
One month	\$50/month
Six months	\$200/six months

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<sup>1</sup> Fee for initial issuance and renewal of adult cabaret entertainer license is established in section 5.32.070 of City Code.

Taxi license	\$50/year -- first taxi
	\$25/year -- second or more taxi
Solid waste collection license- Non-residential only	\$100 + \$100 per vehicle
Peddler/solicitor license	Fee per applicant:
	\$50/day
	\$200/month
	\$600/6 months
	\$750/year
Massage Business License issuance and renewal	\$200/biennially
Massage Therapist License issuance and renewal	\$75/biennially
Oil and gas wells	
Application	\$250 (nonrefundable)
Permit	\$100
Inspection	\$120
False alarm fee	
3 <sup>rd</sup> false alarm per calendar year	\$25
4 <sup>th</sup> false alarm per calendar year	\$50
5 <sup>th</sup> and subsequent false alarm per calendar year	\$75/each
Appeal fee	\$10
Late fee	\$10/month
Funeral Escort Fee	\$50 per escort

### **Section 3. Cereal malt beverage and alcoholic liquor licensing.**

#### Cereal malt beverage (inclusive of state stamp fee of \$25)

Limited retail	
Application fee	\$25
License	\$75/year
General retail	
Application fee	\$25
License	\$225/year
Change of licensed premises	\$50
Special Event Permit	\$50

#### Alcoholic liquor

Application (all classes)	\$25
License	
Drinking establishment	\$500/biennially
Class A club	\$500/biennially
Class B club	\$500/biennially
Sale of alcoholic liquor in original package	\$600/biennially
Temporary permit	\$25/day

Note: No fee charged for extension of premises for liquor and cereal malt beverage sales.

**Section 4. Building trade licenses and certificates.**

Contractor licenses

Class A	\$300 biennially
Class B	\$300 biennially
Class C	\$225 biennially
Class D	\$70 biennially
Concrete Flatwork	\$70 biennially
Roofing Contractor	\$70 biennially
Siding Contractor	\$70 biennially
Electrical	\$160 biennially
Mechanical	\$160 biennially
Plumbing	\$160 biennially
Gas fitter	\$60 biennially
Drain layer	\$60 biennially
Lawn sprinkler	\$60 biennially
Water system	\$60 biennially
Swimming pool	\$60 biennially
Water Well Driller	\$60 biennially
Fire Alarm Contractor	\$60 biennially
Fire Sprinkler Contractor	\$60 biennially

Certificates of qualification

Master	\$ 40 biennially
Journeyman	\$ 40 biennially
Gas fitter	\$ 40 biennially
Drain layer	\$ 40 biennially
Lawn sprinkler	\$ 40 biennially
Water systems	\$ 40 biennially
Swimming pool	\$ 40 biennially

**Section 5. Building trade and sign permits**

Building Plan review	65% of applicable building permit fee
Residential Building permit (based on valuation of work; includes new residential, residential remodel, residential additions, roofing, electrical, mechanical, plumbing, HVAC, swimming pools, concrete or masonry walls and accessory structures 120 square feet or greater).	
Permit issuance – Non Refundable	\$25
\$1-500	\$16.50
\$501-2,000	\$16.50 + \$2.20 for each additional \$100 or fraction thereof over \$500
\$2,001-25,000	\$49.50 + \$9.90 for each additional \$1,000 or fraction thereof over \$2,000

\$25,001-50,000	\$277.20 + \$7.15 for each additional \$1,000 for fraction thereof over \$25,000
\$50,001-100,000	\$455.95 + \$4.95 for each additional \$1,000 or fraction thereof over \$50,000
\$100,001-500,000	\$703.45 + \$3.85 for each additional \$1,000 or fraction thereof over \$100,000
\$500,001-1,000,000	\$2,243.45 + \$3.30 for each additional \$1,000 or fraction thereof over \$500,000
\$1,000,001 or greater	\$3,893.45 + \$2.20 for each additional \$1,000 or fraction thereof over \$1,000,000

#Permit fees shall be waived when, in the opinion of the Building Official, the permitted work is directly attributable to flood damage.

\*Commercial Building permit (based on valuation of work; includes new commercial buildings, commercial remodels, commercial additions, electrical, mechanical, plumbing, HVAC, roofing.)

Permit issuance – Non Refundable	\$25
\$1-500	\$19.50
\$501-2,000	\$19.50 + \$2.60 for each additional \$100 or fraction thereof over \$500
\$2,001-25,000	\$58.50 + \$11.70 for each additional \$1,000 or fraction thereof over \$2,000
\$25,001-50,000	\$327.60 + \$8.45 for each additional \$1,000 for fraction thereof over \$25,000
\$50,001-100,000	\$538.85 + \$5.85 for each additional \$1,000 or fraction thereof over \$50,000
\$100,001-500,000	\$831.35 + \$4.55 for each additional \$1,000 or fraction thereof over \$100,000
\$500,001-1,000,000	\$2,651.35 + \$3.90 for each additional \$1,000 or fraction thereof over \$500,000
\$1,000,001 or greater	\$4601.35 + \$2.60 for each additional \$1,000 or fraction thereof over \$1,000,000

#Permit fees shall be waived when, in the opinion of the Building Official, the permitted work is directly attributable to flood damage.

\*Both residential and commercial building permits are reduced 50% for properties located in the Buckner Business District and the West End (see attached map).

Fire Sprinkler System & Alarm Plan Review	
Permit Issuance – Non-Refundable	\$25
Plus:	
1 – 19 devices or heads	\$50
20 – 100 devices or heads	\$125
101 – 200 devices or heads	\$175
201 – 300 devices or heads	\$225
301 – 400 devices or heads	\$275
401 – 500 devices or heads	\$325
501 – 700 devices or heads	\$375
701 – 900 devices or heads	\$425
901 – 1,100 devices or heads	\$475
Greater than 1,100 devices or heads	\$475*
*(Plus \$.50 per device or head greater than 1,100)	
After-hours Building Inspections	\$60
Re-inspection	\$30
Investigation	Double the applicable permit fee
Right-of-Way Permit	\$75
Repair/replacement of street improvements	Actual cost + overhead
Erosion remediation (additional permit fee)	Actual cost + overhead
Water service connection permit	
¾" Meter Set	\$ 1,075
1" Meter Set	\$ 1,225
1 ½" Meter Set	\$ 3,200
2" Meter Set	\$ 3,400
Sanitary sewer connection permit (includes connection to pre-Built Tee and Riser)	
"R-1," "R-2," "R-3," and "R-4" residential districts	
Single family	\$1,000
Single family attached, two family & multifamily	\$1,000/unit
Manufactured/mobile home	\$1,000/unit
"I-1" institutional district	\$2,500 per connection
"B-1" office district	\$2,500 per connection
"B-2" neighborhood business district	\$2,500 per connection
"B-3" general business district and	
"B-5" restricted business district	\$2,500 per connection
"B-4" central shopping district	\$2,500 per connection
"M-1" industrial district	\$2,500 per connection
Plus Tap fee (if required)	\$500 ( any district)
Grease Interceptor Annual Inspection	\$100
Demolition permit	\$50
*No permit fee shall apply to demolitions in the Buckner Business District or West End.	
Lawn sprinkler system permit	\$25
Driveway approach permit	\$25
Accessory structure permit of 119 sq. ft. or less	
(if no building permit required)	\$25
Fence permit	\$25
Occupancy permit	\$25

Signs:

Permanent sign	\$50
*No permit fee shall apply to permanent signs in the Buckner Business District or West End.	
Portable sign	
Single event (less than 15 days)	\$25
Release (return) of confiscated sign	\$ 5 per sign due to sign ordinance violation)
Water Heater Replacement	\$25
Electric meter reset fee	\$25
Furnace/Air Conditioner Replacement:	
Residential	\$25
Commercial	\$50
Water Well Permit	\$25

#Water heater replacement, electric meter reset, and furnace/air conditioner replacement fees shall be waived when, in the opinion of the Building Official, the permitted work is directly attributable to flood damage.

**Section 6. Retrieval, inspection, and copying of public records.**

General

Retrieval and inspection	\$25/hour -- staff time
Copying	\$0.25/page
Accident and fire reports	\$10 each
GIS map printed	\$20 each

**Section 7. Impoundment, storage and redemption of vehicles.**

The following charges apply to vehicles impounded by or on behalf of any City agency, or stored in the City impound facility:

Impoundment and Towing	Actual cost to the City
Storage	\$5/day (after day of impoundment)
Notification of impoundment and other administrative requirements	\$25

\*Such charges shall be paid in full prior to redemption of the vehicle to which they apply by the owner or another authorized person. If such vehicle is not redeemed, they shall be paid out of the proceeds of sale of such vehicle as authorized by law.

**Section 8. Pet licensing, impoundment, redemption and adoption.**

Dogs and cats

License	
Neutered or spayed	\$10/year
Others	\$15/year
Impoundment and redemption	\$25

**Section 9. Land use, development and engineering.**

Plats

Preliminary plat	
R-1 & R-2 districts	\$500 plus \$10/lot
B-4, MH-1, M-1, B-2A and other properties in the West End	No fee
All other districts	\$500 plus \$10/acre
Final plat	No fee
Final plat only:	
Residential	\$500 plus \$10/lot
Non-Residential	\$500 plus \$10/acre
Revised Preliminary or Final Plat	\$250
Recording of documents with Register of Deeds	\$50
New & revised petitions	\$150/petition
*Lot split	\$250
*Vacation	\$250
Platting exemption	\$100
*Site plan review	\$500
*No fees shall apply to lot splits, vacations or site plan review in the Buckner Business District or West End.	
Variance	\$150
Special use permit	\$350
Conditional use permit	\$350
Appeal	\$150
Zone change	\$350
PUD (Planned Unit Development)	\$750
Engineering	
Plan review	3% of construction cost
Inspection	4% of construction cost
Design	8% of construction cost
Administration	5% of total project cost

**Section 10. Municipal court and prosecution.**

Court costs (per case) are applicable to all citations and complaints not specifically exempted, unless waived by city prosecutor or remitted by municipal court:

Base cost --

Parking tickets, other than handicapped parking, if not paid prior to 1 <sup>st</sup> appearance	\$10
All other cases	\$45.50
State-mandated fees	
Municipal judges' training	\$1.00
Officers' training	\$22.50

Other fees (per case, as applicable)

Officers' training (City fee)	\$6
Technology fee	\$3
Warrant fee	\$50
Mailing fee	\$5 each
Witness fee	\$2.50 day or any part of a day plus the current mileage rate applied by the Internal Revenue Service for actual driving distance in excess of 10 miles
Pre-sentence evaluation	\$50
Indigent defense	\$150
Probation monitoring	\$75
City prosecutor's diversion program	
Application	\$50
Monitoring	\$75
Termination for unsatisfactory performance	\$50
Expungement fee	\$75
Discovery fees	
Paper	\$15
Video/DVD	\$25
Photo/Audio	\$15
Booking Fees	\$10
Fingerprinting	\$10
Probation Extension	\$25

**Section 11. Nuisance Abatement Fees**

Nuisance Abatement – Actual cost to the City plus:

Administrative fee per abatement	\$75
Administrative fee for multiple abatements per property per calendar year:	
2 <sup>nd</sup> Abatement	\$100
3 <sup>rd</sup> Abatement	\$125
4 <sup>th</sup> and Subsequent Abatements	\$150

**Section 12. Park and Facility Fees**

Fees for rental of facilities at High Park and ballfields at Garrett Park, High Park and Tanglewood ballpark are based upon the following categories:

Category 1 includes civic organizations, churches and 501(c)3 organizations located within the Derby School District.

Category 2 includes businesses located and individuals residing within Derby School District.

Category 3 includes organizations, churches, businesses, and individuals located or residing outside of the Derby School District.

	Rental Fees					
	Category 1		Category 2		Category 3	
	Full Day	Half Day	Full Day	Half Day	Full Day	Half Day
High Park: Zimmerman Shelter or Amphitheatre	160	80	200	100	300	150
Open Shelter or Gazebo	120	60	160	80	240	120
Ball fields: Rental per field	290	240	390	290	490	340
Rental each additional field	90	90	90	90	90	90

Madison Avenue Central Park:	Monday- Thursday 7am - 3pm	Sunday- Friday 4pm - midnight	Friday- Sunday 7am - 3pm	Saturday 4pm - midnight	Security Deposit
Salon (2 hour minimum)	\$50/hour	\$50/hour	\$50/hour	Add-on only	NA
Nook (2 hour minimum)	\$25/hour	\$25/hour	Add-on only	Add-on only	NA
Alcove (2 hour minimum)	\$40/hour	\$40/hour	Add-on only	Add-on only	NA
Boardwalk (2 hour minimum)	\$75/hour	\$75/hour	\$75/hour	Add-on only	NA
The Venue & Boardwalk	\$1,000	\$1,500	\$1,500	\$2,000	\$1,000
Fireside Patio (3 hour minimum)	\$100/hour			\$120/hour	NA
Whole Building	\$1,500	\$2,000	\$2,000	\$2,500	\$1,000
Pavilion	\$500	\$800	\$600	\$1,500	\$500

Madison Avenue Central Park:	Monday- Friday 7am - 3pm	Sunday- Thursday 4 - 11pm	Saturday- Sunday 7am - 3pm	Friday- Saturday 4 - 11pm	Security Deposit
Amphitheater	\$200	\$300	\$400	\$500	NA
North Shelter (22' x 32')	\$80	\$100	\$130	\$130	NA
East Shelter (20' x 20')	\$50	\$70	\$90	\$90	NA

Splash Pad	\$50/hour (2-hour minimum unless add shelter)				NA
Event Lawn (1,200 sf)	\$100	\$200	\$500	\$200	NA
Madison Avenue Central Park:	Monday- Friday		Saturday- Sunday		Security Deposit
Entire Park (includes 8 hours; times negotiable)	\$3,000		\$5,000		\$2,000

- A. 50% construction discount on all rentals before Nov. 1, 2016.
- B. Non-profit organizations based in Derby are eligible for one rental per year at 50% discount. Non-profits based outside of Derby are eligible for one rental at 30% discount. Non-profits include churches, schools, government agencies, 501(c)3 organizations, chambers of commerce and class reunions.
- C. 50% discount on all rates to Active Duty, National Guard, and Reserve military personnel and not-for-profit organizations based at, or associated with, McConnell Air Force Base.
- D. Wedding packages are based on the above rates and are to be set and modified by the city manager to meet changing needs.
- E. Fees for cleaning, on-site staff support, and table/chair set up and break down are determined by the city manager based on costs.

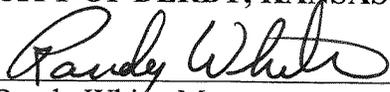
**Section 13. Periodic Review of Fees and Charges.** The equity and sufficiency of the fees and charges set forth herein shall be reviewed biannually by the City's governing body; provided, that failure to conduct or delay in conducting such review shall not invalidate any such fee or charge.

**Section 14. Repealer.** Resolution no. 26-2016 of the City of Derby and all resolutions amending any provision thereof are hereby repealed.

**Section 15. Effective date.** This resolution shall take effect and be in force September 14, 2016.

**PASSED** by the City Council this 13<sup>th</sup> day of September 2016 and **SIGNED** by the Mayor.

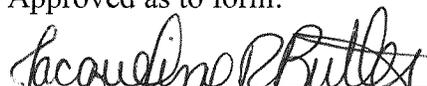
**CITY OF DERBY, KANSAS**

  
 Randy White, Mayor

Attest:

  
 Karen Friend, City Clerk

Approved as to form:

  
 Jacqueline R. Butler, City Attorney

# West End & Buckner Business District

