

Resolution No. 29-2020

A RESOLUTION AMENDING RESOLUTION NO. 23-2020 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. 23-2020.

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. 23-2020 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. 23-2020 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 ¹	
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 ²	\$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

¹ Business registration fees due in 2020 for 2021 registrations shall be waived.

² 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 rd false alarm per calendar year	\$25
4 th false alarm per calendar year	\$50
5 th and subsequent false alarm per calendar year	\$75/each
Appeal fee	\$10
Late fee	\$10/month
Funeral Escort Fee	\$100 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 ³ (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). ⁴	
Permit issuance -- Non Refundable	\$25
\$1-500	\$16.50

³ Building permit fees shall be reduced 50% for all infill or redevelopment projects on commercially zoned properties where, in the opinion of the Zoning Administrator, the area was primarily developed prior to 1996; and specifically, for projects in the West End Business Park and for redevelopment of the existing Pleasantview Elementary site.

⁴ Permit fees shall be waived when, in the opinion of the Building Official, the permitted work is directly attributable to flood damage.

\$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

Commercial Building permit³ above (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

Fire Extinguishing System Permit (per system)	\$35
Fire Sprinkler System & Alarm Plan Review	
Permit Issuance – Non-Refundable	\$35
Plus:	
1 – 19 devices or heads	\$75
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	\$475
901 – 1,100 devices or heads	\$525
Greater than 1,100 devices or heads	\$575*
*(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	
1" Meter Set	\$ 1,700
2" Meter Set	\$ 3,700
Water service inspection	\$50
Water territory transfer	\$625
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 ⁵	\$50
Lawn sprinkler system permit	\$25
Driveway approach permit	\$25

⁵ Demolition permit fees shall be waived on commercially zoned properties where, in the opinion of the Zoning Administrator, the area was primarily developed prior to 1996; and specifically, for projects in the West End Business Park and for the existing Pleasantview Elementary.

Accessory structure permit of 119 sq. ft. or less (if no building permit required)	\$25
Fence permit	\$25
Manhole Deposit (refundable if lid is at grade at project completion)	\$750
Occupancy permit	\$25
Inspection of tents and temporary membrane structures (greater than 400 square feet, except fireworks tents)	\$35
Signs:	
Permanent sign ⁶	\$50
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 ⁷	\$25
Electric meter reset fee ⁷	\$25
Furnace/Air Conditioner Replacement: ⁷	
Residential	\$25
Commercial	\$50
Water Well Permit	\$25

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

Accident and fire reports	\$10 each
GIS map printed	\$20 each

General

Copies will be charged at \$0.25/page for paper copies and \$0.125 per page for electronic copies.

Mailing will be charged using actual costs and the cost of transmitting records electronically will be calculated based on volume and staff time.

Unredacted photo, audio, and video disks will be charged at the same rates as discovery fees for said items found in Section 10 herein. Where redaction of a disk is required, staff time will be charged at the applicable rate(s) in accordance with this section.

Staff Time will be charged at the rate of pay for each person whose time is used to assist and/or respond to a specific request. This may include time spent to access records maintained on computer facilities, review records to determine whether closure exceptions apply and/or to redact open from closed information.

⁶ Permit fees for permanent signs shall be waived on commercially zoned properties where, in the opinion of the Zoning Administrator, the area was primarily developed prior to 1996; and specifically, for projects in the West End Business Park and for the existing Pleasantview Elementary.

⁷ 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.

Additional fees, including any other costs incurred in connection with complying with a records request, may be assessed to the requestor.

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 ⁸	
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 ⁸	\$150/petition
Lot split ⁸	\$250
Vacation ⁸	\$250
Platting exemption ⁸	\$100

⁸ Specified land development fees shall be waived for infill or redevelopment projects on commercially zoned properties where, in the opinion of the Zoning Administrator, the area was primarily developed prior to 1996; and specifically, for projects in the West End Business Park and for redevelopment of the existing Pleasantview Elementary site. A recording fee shall be applied if the process requires recording of documents and all process-related expenses such as ownership lists and surveys shall be paid by the applicant.

Site plan review ⁸	\$500
Variance ⁸	\$150
Special use permit ⁸	\$350
Exception permit ⁸	\$350
Appeal	\$150
Zoning change ⁸	\$350
PUD (Planned Unit Development) ⁸	\$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 st 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	\$200
Probation monitoring	\$125
City prosecutor's diversion program	
Application	\$50
Monitoring	\$125
Termination for unsatisfactory performance	\$50
Expungement fee	\$75
Discovery fees	
Paper	\$15
Video/DVD	\$25

Photo/Audio	\$15
Booking Fees	\$10
Fingerprinting	\$20
Probation Extension	\$25

Section 11. Nuisance Abatement Fees

Nuisance Abatement – Actual cost to the City plus:

Administrative fee per abatement	\$75
Administrative fee for second and subsequent abatements per property per calendar year:	\$100

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

Fees for rental of facilities at Madison Avenue Central Park and Warren Riverview Park are subject to the following terms:

- A. Active Duty, National Guard, and Reserve military personnel and retirees with military I.D. are eligible for a 15% discount on all rates.
- 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 not-for-profit organizations based at, or associated with, McConnell Air Force Base and military groups (Navy, Army, etc.)
- D. Wedding packages are based on the below 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.
- F. New Year's Eve rentals of The Venue and The Lodge may be subject to additional terms as determined by the city manager to require vacating the premises by 1:30 a.m., prevent damage to facilities and avoid disturbance of the peace.

	Mon.-Thurs. 7am-3pm or 4pm-midnight	Fri. or Sun. 4pm- midnight	Fri/Sat/Sun 7am -3pm	Saturday 4pm - midnight	Rental Deposit
Madison Avenue Central Park:					
The Venue & Boardwalk	\$1,400	\$1,900	\$1,900	\$2,400	\$1,000
Entire Venue	\$1,900	\$2,400	\$2,400	\$2,900	\$1,000
The Pavilion	\$250	\$800	\$600	\$1,500	\$250
	Mon.-Fri. 7am - 3pm	Sun.-Thurs. 4 - 11pm	Sat/Sun 7am -3pm	Fri/Sat 4 - 11pm	Rental Deposit
Madison Avenue Central Park:					
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
Event Lawn (1,200 sf)	\$100	\$200	\$500	\$200	NA

Warren Riverview Park	Monday - Thursday	Fri./Sat/Sun 7am – 3pm	Fri/Sat/Sun 4pm-midnight	Fri/Sat/Sun 7am-midnight	Rental Deposit
The Lodge	\$200 7am - 3pm \$200 4pm-midnight	\$300	\$400	\$700	\$250
Open Shelter	\$80 7am - 3 pm \$130 4pm-midnight	\$130	\$130	\$250	NA


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. 23-2020 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 August 12, 2020.

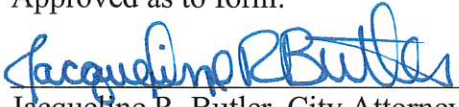
PASSED by the City Council this 11th day of August 2020 and **SIGNED** by the Mayor.

CITY OF DERBY, KANSAS


 Randy White, Mayor

Attest:

 Ariana Davis, Assistant City Clerk

Approved as to form:

 Jacqueline R. Butler, City Attorney