

**AN ORDINANCE
OF THE
CITY OF MINNEAPOLIS**

By Quincy

Amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to Building Code: Permit Fees.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 91.15 of the above-entitled ordinance be amended to read as follows:

91.15. - Fee refunds. ~~(a) There shall be no refund of any permit fee or plan checking fee collected by the city in accordance with this chapter when the amount of the fee so collected is equal to or less than the minimum fee established in section 91.40 and the director's fee schedule. However, claims for full refund of permit fees only, based on Construction Code Services Division of the Community Planning Economic Development (CPED) Department error, may be granted. Refunds of any permit-related fees collected by the city in accordance with this chapter are as follows:~~

- (1) Full refunds may be granted due to Community Planning and Economic Development (CPED) errors.
- (2) If none of the work authorized by a permit has started, a fifty dollar (\$50) processing fee will be retained by the city. The remainder of the fees will be refunded to the permit applicant.
- (3) If any of the work authorized by a permit has started, the department may retain a percentage of the fee for such permit equal to the percentage of work completed in addition to the processing fee.

(b) All claims for refunds of permit fees in accordance with this section shall be made to the building official within on hundred eighty (180) calendar days of the payment of said fees.

~~(c) For permits which are cancelled after issuance, where no authorized work has begun, a refund of fifty (50) percent of the permit fees claimed in excess of the minimum fee established in section 91.40 may be granted less a processing fee as established pursuant to section 91.70; in no case shall such fees retained by the city exceed a maximum retained fee as specified in section 91.70, if no work has been started. If any work authorized by a permit has been started, the department may retain a percentage of the fee for such permit over and above the maximum retained fee set out herein commensurate with the percentage of the work completed.~~

~~(d)~~ (c) The building official shall cause to be placed in the office where permits are to be obtained notices of such size and readability that persons making application for permits and paying the fees therefor shall be notified of the refund policies of the department.

~~(e)~~ (d) Refunds due under the foregoing provisions shall be made upon written request of the permit applicant. The city finance officer shall refund such monies by issuing a check to the applicant for the refund amount due, upon receipt of a check request approved by the

building official. Said request shall contain the name and address of the permit applicant, the permit number, and the amount of refund due under this section.

Section 2. That Section 91.70 of the above-entitled ordinance be amended to read as follows:

91.70 Unit based and valuation categories permit fee adjustment; fee schedule

(a) The minimum fee as shown in section 91.40 and certificate, permit, service or other fees calculated on a unit item or other basis, as shown in sections 46.40, 48.310, 50.70, 56.110, 59.30, 59.40, 59.50, 91.15, 91.20, 91.35, 91.55, 91.105, 91.115, 91.120, 91.150, 91.190, 91.220, 91.270, 91.380, 91.390, 91.410, 91.460, 91.465, 91.610, 91.620, 91.740, 91.750, 91.770, 91.780, 91.900, 108.30, 174.500, 249.80, and 389.105 shall be subject to ~~automatic~~ an adjustment based on annual increases in the construction cost index (CCI) for the City of Minneapolis as published quarterly by the Engineering News Record. Such adjustment, up to the CCI and rounded off to the nearest one (1) percent, shall be effective on April first of each year based on the construction cost index for the period ending December 31 of the preceding calendar year. Thereafter the director's fee schedule shall be subject to ~~automatic~~ an annual adjustment pursuant to the terms of subsection (a) and shall be made available to the public at least thirty (30) days prior to going into effect. ~~In the event CCI for the preceding calendar year is less than three (3) percent, the annual increase will be three (3) percent.~~

(b) The city shall publish, maintain and make available to the public via all readily available means, including posting to the city's designated Internet site(s), a schedule of all such fees referenced in subsection (a). Such schedule shall be titled the fee schedule and shall be promptly revised and updated by the building official on April first of each year. The council shall approve the initial fee schedule to be effective April 1, 2004. Thereafter the fee schedule shall be subject to ~~automatic~~ an annual adjustment pursuant to the terms of subsection (a) and shall be made available to the public at least thirty (30) days prior to going into effect.

(c) The building permit fee amounts herein established shall be effective April 1, 2004 and shall be subject to ~~automatic~~ an annual adjustment each April first thereafter in a percentage up to equal to the annual increases in the consumer price index (CPI) for the period ending December 31 of the preceding calendar year. ~~In the event CPI for the preceding calendar year is less than three (3) percent, the annual increase will be three (3) percent.~~ Such building permit fees and subsequently adjusted building permit fees shall be published and maintained in the fee schedule referenced in section 91.70 and shall be based on the following valuation categories:

Valuation Categories

\$1.00 to \$500.00

\$501.00 to \$2,000.00

\$2,001.00 to \$25,000.00

\$25,001.00 to \$50,000.00

\$50,001.00 to \$100,000.00

\$100,001.00 to \$500,000.00

\$500,001.00 to \$1,000,000.00

\$1,000,001.00 and up

Section 3. That Section 91.90 of the above-entitled ordinance be and is hereby repealed.

91.90 Required generally

~~(a) The city before issuing (1) any permit for the wrecking, moving, raising and holding or erection of any building or structure, or portion thereof, (2) any permit for an addition to any existing building or structure or for any alterations or repairs to any existing building or structure, or (3) any annual maintenance permit as provided for in the Minnesota State Building Code, upon application therefor, shall require the payment by the applicant for such permit of value-based fees in the amounts herein set forth.~~

~~(b) Building valuation for the purpose of establishing building permit fees shall be as set forth by the valuation data published by the Building Code Division, Department of Administration, State of Minnesota, as may be amended from time to time, or the applicant's value, including all labor and materials, whichever greater. The valuation to be used in computing the permit and plan-check fees shall be the total contract price of all construction or maintenance work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent work or permanent equipment. Nothing in this method of determining valuation for building permit fees shall be construed as supplementing or decreasing the fees for other permits required by this Code.~~

~~(c) The building permit fee amounts herein established shall be effective April 1, 2004 and shall be subject to automatic an annual adjustment each April first thereafter in a percentage up to equal to the annual increases in the consumer price index (CPI) for the period ending December 31 of the preceding calendar year. In the event CPI for the preceding calendar year is less than three (3) percent, the annual increase will be three (3) percent. Such building permit fees and subsequently adjusted building permit fees shall be published and maintained in the fee schedule referenced in section 91.70 and shall be based on the following valuation categories:~~

Valuation Categories

~~\$1.00 to \$500.00~~

~~\$501.00 to \$2,000.00~~

~~\$2,001.00 to \$25,000.00~~

~~\$25,001.00 to \$50,000.00~~

~~\$50,001.00 to \$100,000.00~~

~~\$100,001.00 to \$500,000.00~~

~~\$500,001.00 to \$1,000,000.00~~

~~\$1,000,001.00 and up~~