



July 2008

**Consistent Forms and Fee Methodology
OAR 918-050**

The division, with the assistance of a Consistent Forms and Fees Committee, has developed a uniform methodology for determining permit fees throughout the state. Municipalities have until January 1, 2009 to bring their fees into compliance with the new rules, which are modeled after the Tri-County methodology. The methodology provides predictability for customers and will assist contractors calculating bids. A consistent fee methodology *does not* mean consistent fees. The new rules establish a consistent method and adopt a standard valuation, but jurisdictions continue to have the freedom to set their fee schedules to ensure sufficient operating funds.

- Where fees change only as a result of a municipality coming into compliance with the new rules and the current ICC table, the division will not consider it a fee change subject to the notice requirements of 918-020-0220. (See below for more information).
- For items not expressly covered by the new methodology, a municipality may either, fit the item within the appropriate program area or develop a reasonable permit fee.
- Municipalities can use the model forms provided by the division or develop their own forms meeting the division's minimum content. The division will post model forms and minimum content on its web site.

Important features of the new rules**ICC VALUATION TABLE**

Because regional modifiers won't be used, the average national construction costs provided by the ICC Valuation Table will provide for uniformity of valuation across the state. The appropriate valuation is plugged into the municipality's fee schedule to determining the permit cost.

- The ICC Valuation Table is published twice a year, but municipalities will only be required to use the table that is current as of April 1st of each year. Municipalities will not have to update tables when a new one is published after April 1.
 - ❖ The yearly update of the table won't subject jurisdictions to the 918-020-0220 notice requirements because the version of the table is in rule. But local requirements may apply.
 - ❖ Because the table's valuation is "plugged into" a jurisdiction's fee schedule, changes in the table will not necessarily affect fees charged.
 - ❖ The notice requirements of 918-020-0220 will apply to changes to fee schedules (but see Additional Information below).
- Residential Structural Permit fees will be based off the ICC table.
 - ❖ "Residential structures" means R3 occupancies covered under the ORSC – it does not include apartments.
- Commercial Structural Permit fees will be calculated using either the ICC table or the stated value of a project to determine valuation.
- For remodels and alterations, valuation is determined by fair market value.

OTHER PERMIT FEES

- Electrical permit categories and procedures will be those set out in OAR 918-309-0020 thru 918-309-0070.



- Residential plumbing permit fees will be calculated on a graduated scale based on the number of bathrooms – from one to three.
 - ❖ Base cost includes: one kitchen, the first 100 feet of water and sewer lines; hose bibs, icemakers; underfloor low-point drains, and rain drain packages that include piping, gutters, downspouts, and perimeter system.
 - ❖ For more than 1 kitchen or 3 bathrooms a set fee will be charged for each additional kitchen or bathroom.
- Commercial plumbing fees will be based on the number of fixtures and the footage of piping.
- Residential mechanical fees will be figured per appliance and related equipment with a set minimum fee.
- Commercial mechanical fees will be calculated by the value of the mechanical equipment and installation costs. The valuation will be applied to the fee schedule, with a set minimum fee.
- Fire suppression system permit fees will be a graduated set fee based on square footage.
- Manufactured Home Siting will be a single fee for installation and set-up.
 - ❖ The fee includes: concrete slab, runners or foundations when they comply with the prescriptive requirements of the code. Also includes electrical feeder, plumbing connections and all cross-over connections.
 - ❖ Accessory structures outside prescriptive requirements, and utility connections beyond 30 lineal feet, new or additional electrical services or plumbing, may require additional permits.

FEE SCHEDULES

- ORS 455.210(3) allows municipalities to adopt “reasonable fees” to “provide for the administration and enforcement” of the building code program.
- Municipalities must incorporate all of their building inspection program administrative fees into their fee schedules. A municipality is not precluded from communicating to customers exactly how fees are arrived at.
- If a municipality assesses a charge on all its permits (for instance a parks surcharge), whether or not they relate to the building code program, then it will not need to be incorporated into its fee schedule. If a municipality assesses a charge only for actions related to the building inspection program then it must be figured into its building permit fee schedule.

ADDITIONAL INFORMATION

- These changes will require some municipalities to recalculate fees to accommodate the new methodology. Where fee changes are *revenue neutral* or due only to the adoption of the new valuation table, the division will not require notice under 918-020-0220.
 - ❖ To determine if a fee change is revenue neutral, a municipality can calculate the cost of a permit under its old method and the same permit under the new method, using the new fee schedule for both – if the fee is the same, then the change is revenue neutral and won’t trigger notice to BCD; OR
 - ❖ Where a change in fees is purely the result of switching to the new methodology, and no changes are made to the fee schedule, BCS won’t require notice.
 - ❖ Municipalities may still have to comply with 294.160 (requiring opportunity for public comment) and any other local notice requirements.
 - ❖ Future fee changes, but not simple updates of the ICC table, must comply with the 918-020-0220 notice to BCD.

Contact: If you have any questions please contact Aeron Teverbaugh at 503-373-1354 or aeron.teverbaugh@state.or.us.

Consistent Form & Fee Methodology Rules
Effective: January 1, 2009

DIVISION 50
MUNICIPAL ADMINISTRATION

918-050-0000

Purpose and Scope

Division 50 provides administrative procedures for use in all regions of the state and, where applicable, to specified regions of the state. These rules address a uniform methodology for arriving at building permit and inspection fees to provide consistency in fee calculation. Where a permitted item is not covered by the methodology in these rules, a municipality may either, fit the item within the appropriate program area or develop a reasonable permit fee. These rules do not supersede or repeal the existing provisions of the state building code and related rules. These rules become effective on January 1, 2009.

Stat. Auth.: ORS 455.020 & 455.048
Stats. Implemented: ORS 455.020 & 455.046

918-050-0010

Definitions

Terms not specifically defined will have the meanings ascribed in the state building code.

(1) "Administrative fees" refers to fees assessed by a municipality to cover costs of administering and enforcing the building code apart from inspection and plan review services. Surcharges, assessed as part of the cost of doing business within a municipality and that are assessed without regard to whether the municipal action relates to the administration of the building code, are not administrative fees for the purposes of these rules.

(2) "Tri-county region" or "Tri-county regional" refers to the geographical area that includes Clackamas, Multnomah and Washington counties.

Stat. Auth.: ORS 455.020
Stats. Implemented: ORS 455.020

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Effective: January 1, 2009

918-050-0020

Standard Statewide Application Forms

(1) A municipality must use standard permit applications containing at least the minimum content required by the division.

(2) All municipalities within the Tri-County region shall use intake checklist forms approved by the division

(3) The division shall consider for adoption proposed amendments to the standard application and intake checklist forms.

(a) Proposals for amendment to the application forms shall include: The existing unamended form(s);

(A) The form(s) containing the appropriate amendments; and

(B) A brief explanation of the need for the amendments.

(b) Proposals to amend the approved forms must be filed with the division no later than February 1 or August 1.

(c) The division shall notify all municipalities and interested parties of the division's determination regarding proposed amendments and provide copies of the amended form(s).

(d) Any form changes shall be effective in all regional jurisdictions on July 1 or January 1 following adoption.

Stat. Auth.: ORS 455.020 & 455.048

Stats. Implemented: ORS 455.020 & 455.046

918-050-0030

Standard Tri-County Regional Processes

All jurisdictions within the Tri-County region shall use uniform processes for permit application, plan review, permit issuance and recording inspections as approved by the division, including, but not limited to:

(1) Minor labels;

(2) Issuing permits when no plan review is required;

(3) Recording inspections;

(4) Partial permits;

(5) Deferred submittals;

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- (6) Over-the-counter permits that require plan review; and
- (7) Plan review issue resolution.

Stat. Auth.: ORS 455.048

Stats. Implemented: ORS 455.046

Uniform Fee Methodology

918-050-0100

Statewide Fee Methodologies for Residential and Commercial Permits

(1) Residential construction permit fees shall be calculated using the following methodologies:

(a) A plumbing permit fee for new construction includes one kitchen and is based on the number of bathrooms, from one to three, on a graduated scale. An additional set fee shall be assessed for each additional bath or kitchen.

(A) No additional fee shall be charged for the first 100 feet of water and sewer lines, hose bibbs, icemakers, underfloor low-point drains and rain drain packages that include the piping, gutters, downspouts and perimeter system.

(B) The plumbing permit fee described in this section does not include:

(i) Any storm water retention/detention facility;

(ii) Irrigation and fire suppression systems; or

(iii) Additional water, sewer and service piping or private storm drainage systems exceeding the first 100 feet.

(C) Permit fees for an addition, alteration, or repair shall be calculated based on the number of fixtures, appurtenances and piping, with a set minimum fee.

(b) A mechanical permit fee shall be calculated per appliance and related equipment, with a set minimum fee.

(c) Effective January 1, 2009, a structural permit fee for new construction and additions shall be calculated using the ICC Building Valuation Data Table current as of April 1 of each year, multiplied by the square footage of the dwelling to determine the valuation. The valuation shall then be applied to the municipality's fee schedule to determine the permit fee. The plan review fee shall be based on a predetermined percentage of the permit fee set by the municipality.

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(A) The square footage of a dwelling, addition, or garage shall be determined from outside exterior wall to outside exterior wall for each level.

(B) The square footage of a carport, covered porch, patio, or deck shall be calculated separately at fifty percent of the value of a private garage from the most current ICC Building Valuation Data Table.

(C) Permit fees for an addition, alteration, or repair shall be calculated based on the fair market value as determined by the building official, and then applying the valuation to the jurisdiction's fee table.

(2) Commercial construction permit fees shall be calculated using the following methodologies:

(a) A plumbing permit fee shall be calculated based on the number of fixtures and footage of piping, with a set minimum fee.

(b) A mechanical permit fee shall be calculated based on the value of the mechanical equipment and installation costs and applied to the municipality's fee schedule with a set minimum fee.

(c) A structural permit fee shall be calculated by applying the valuation to the municipality's fee schedule with a minimum set fee. Valuation shall be the greater of either:

(A) The valuation based on the ICC Building Valuation Data Table current as of April 1 of each year, using the occupancy and construction type as determined by the building official, multiplied by the square footage of the structure; or

(B) The value as stated by the applicant.

(C) When the construction or occupancy type does not fit the ICC Building Valuation Data Table, the valuation shall be determined by the building official with input from the applicant.

Stat. Auth.: ORS 455.020 & 455.048

Stats. Implemented: ORS 455.020 & 455..46

918-050-0110

Fees and Fee Schedules

(1) A municipality may develop its fee schedule in any reasonable manner to provide for the administration and enforcement of the Building Code program.

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Effective: January 1, 2009

(2) Administrative fees assessed by a municipality to cover administration and enforcement shall be incorporated into a municipality's fee schedule. Changes to a municipalities fee schedule must be adopted in accordance with OAR 918-020-0220.

(3) The plan review fees shall be based on a predetermined percentage of the permit fee set by the municipality.

Stat. Auth.: ORS 455.020, 455.048 & 455.210

Stats. Implemented: ORS 455.020, 455.046 & 455.210

918-050-0120

Statewide Fee Methodology for Electrical Permits

An electrical permit fee shall be calculated based on the categories, procedures and requirements established in OAR 918-309-0020 to 918-309-0070.

Stat. Auth.: ORS 455.020, 455.048 & 479.870

Stats. Implemented: ORS 455.020, 455.046 & 479.870

918-050-0130

Statewide Fee Methodology for Manufactured Home Siting Permits

(1) A municipality shall charge a single fee for the installation and set-up of manufactured homes. This fee shall include the concrete slab, runners or foundations when they comply with the prescriptive requirements of the Oregon Manufactured Dwelling and Park Specialty Code, electrical feeder and plumbing connections and all cross-over connections.

(2) Decks, other accessory structures and foundations that do not comply with the prescriptive requirements of the Oregon Manufactured Dwelling and Park Specialty Code, utility connections beyond 30 lineal feet, new electrical services or additional branch circuits, new plumbing and other such items that fall under the building code may require separate permits.

(3) When a municipality has reason to believe that the existing electrical service to a manufactured dwelling may be unsafe or inadequate, the municipality may require a separate permit to inspect the electrical service.

[Publications: Publications referenced are available from the agency.]

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Effective: January 1, 2009

Stat. Auth.: ORS 455.020 & 455.048
Stats. Implemented: ORS 455.020 & 455.046

918-050-0140

Statewide Fee Methodology for Residential Fire Suppression Systems

Stand-alone and multi-purpose fire suppression system permit fees shall each be calculated as separate flat fees based on the square footage of the structure with graduated rates for dwellings with 0 to 2000 square feet, 2001 to 3600 square feet, 3601 to 7200 square feet and 7201 square feet and greater. The permit fee shall be sufficient to cover the costs of inspection and plan review.

Stat. Auth.: ORS 455.020 & 455.048
Stats. Implemented: ORS 455.020 & 455.046

918-050-0150

Statewide Fee Methodology for Medical Gas Installations

(1) A plumbing permit fee for the installation of a medical gas system shall be determined based on the value of installation costs and the system equipment, including but not limited to, inlets, outlets, fixtures and appliances and applied to the municipality's fee schedule, with a set minimum fee.

(2) The plan review fee shall be based on a predetermined percentage of the permit fee as set by the municipality.

Stat. Auth.: ORS 455.020 & 455.048
Stats. Implemented: ORS 455.020 & 455.046

918-050-0160

Statewide Fee Methodology for Phased Projects

A municipal plan review fee for a phased project is based on a minimum phasing fee, determined by the municipality, plus 10 percent of the total project building permit fee not to exceed \$1,500 for each phase.

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Effective: January 1, 2009

Stat. Auth.: ORS 455.020 & 455.048

Stats. Implemented: ORS 455.020 & 455.046

918-050-0170

Statewide Fee Methodology for Deferred Submittals

A fee charged for processing and reviewing deferred plan submittals shall be an amount equal to a percentage, determined by the municipality, of the building permit fee calculated according to OAR 918-050-0110(2) and (3) using the value of the particular deferred portion or portions of the project, with a set minimum fee. This fee is in addition to the project plan review fee based on the total project value.

Stat. Auth.: ORS 455.020 & 455.048

Stats. Implemented: ORS 455.020 & 455.046