

MEMORANDUM

September 19, 2011

TO: County Council

FROM:  Jeff Zyontz, Legislative Attorney
Charles H. Sherer, Legislative Analyst *CHS*

SUBJECT: Executive Regulation 5-11AM3, schedule of fees for permits, licenses, and certifications – method 2, Department of Permitting Services

The purpose of this ER is to restore minimum filing fees that were inadvertently omitted from the ER the Council approved on July 19, 2011.

Background On July 19, 2011 the Council approved an amendment for DPS fees in Executive Regulation 5-11AM2 in resolution 17-216. Under Executive Regulation 5-11AM2, the filing fee for commercial building permits is 30% of the permit fee. In a memorandum dated September 14, 2011, the Executive sent Executive Regulation 5-11AM3. This amendment corrects the filing fee for commercial building permits subject to MNCPPC Site Plans to specify that the filing fee is 30% of the permit fee **or \$825, whichever is greater** and to specify for all other commercial building permits that the filing fee is 30% of the permit fee **or \$515, whichever is greater**.

The corrected minimum filing fees are the same as the filing fees approved in Resolution 16-602 (Executive Regulation 11-08) effective June 17, 2008. See ©A for a comparison of filing fees under the two ERs. The minimums were inadvertently omitted from the second amendment. The table below shows the filing fees.

Executive Regulation	Filing fee
11-08, June 17, 2008	\$825/\$515
5-11AM2, July 19, 2011	30% of permit fee
5-11 AM3, September/October 2011?	The greater of 30% of permit fee or \$825/\$515

The Maryland National Capital Building Industry Association does not recommend changing the **total** permit fee, but proposed that the maximum **filing** fee be \$25,000. DPS proposes to “revisit the maximum filing fee in FY13.” On September 16, 2011, Council staff discussed this issue with Mr. Kaufman from the MNCBIA and he stated that this is acceptable.

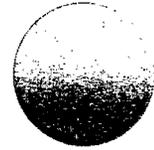
This ER was advertised in the August 2011 Montgomery County Register. The Council's rules of procedure permit the Council to act on a resolution anytime if the matter was published in the Montgomery County Register. **Council staff recommends approval.**

Note: In accordance with §2A of the County Code, this method 2 Regulation is "automatically approved" 60 days after the Council received it if the Council does not disapprove it or extend time by resolution before the 60 day period ends, which is November 13, 2011. The resolution to approve it is on ©3.

	A	B	C	D	E	F	G	H	I
1	ER 5-11AM3								
2									
3	The permit fee is 3.01% of costs <= \$8,000,000 plus 0.3% of costs > \$8,000,000 but < \$50,000,000.								
4	No additional fee is charged for costs > \$50,000,000 - the fee for a \$180,000,000 project is the same as the fee								
5	for a \$50,000,000 project.								
6									
7	Filing fee is 30% of permit fee or \$825, whichever is greater.								
8	Minimum filing fee is	825	825	825	825	825	825	825	825
9									
10	Fee structure	Estimated construction cost							
11		10,000	15,000	25,000	27,408	50,000	75,000	91,362	100,000
12									
13	First tier	10,000	15,000	25,000	27,408	50,000	75,000	91,362	100,000
14	Second tier	0	0	0	0	0	0	0	0
15									
16	Permit fee at 3.01%	301	452	753	825	1,505	2,258	2,750	3,010
17	Permit fee at 0.30%	0	0	0	0	0	0	0	0
18	Total permit fee	301	452	753	825	1,505	2,258	2,750	3,010
19									
20	30% of total permit fee	90	135	226	247	452	677	825	903
21	Previous row shows the filing fee in ER5-11AM2.								
22	Filing fee in ER5-11AM3.	825	825	825	825	825	825	825	903
23	Change filing fee, AM2 to AM3	735	690	599	578	374	148	0	0
24									
25	Filing fee - total permit fee	524	374	73	0	(680)	(1,433)	(1,925)	(2,107)
26	If filing fee - total fee is positive, this shows the amount of filing fee in excess of the permit fee.								
27									
28	If filing fee - total fee is negative, this shows the amount of filing fee due prior to the release of the permit.								



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OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

September 14, 2011

RECEIVED
MONTGOMERY COUNTY
EXECUTIVE

2011 SEP 14 PM 3:18

TO: Valerie Ervin, President
County Council

FROM: Isiah Leggett, County Executive

SUBJECT: Department of Permitting Services (DPS)
Executive Regulation 5-11AMIII
Schedule of Fees for Permits, Licenses and Certifications - Method 2

The purpose of this memorandum is to submit Executive Regulation 5-11AMIII-Schedule of Fees for Permits, Licenses and Certifications – Method 2 to the County Council. This executive regulation corrects the application filing fee for commercial building permits in sections I.C.1. and II.C.1 by inserting the minimum filing fee omitted in Executive Regulation 5-11AMII. Temporary Executive Regulation 5-11T made the same correction effective July 25, 2011 and was advertised in the August 2011 Montgomery County Register. DPS received comments from the Maryland National Capital Building Industry (MNCBIA) regarding the maximum filing fee. DPS contacted MNCBIA, discussed their concerns and proposed to revisit the maximum filing fee in FY13.

If you need additional information please call Reginald Jetter on 240-777-6275.

RTJ:adr

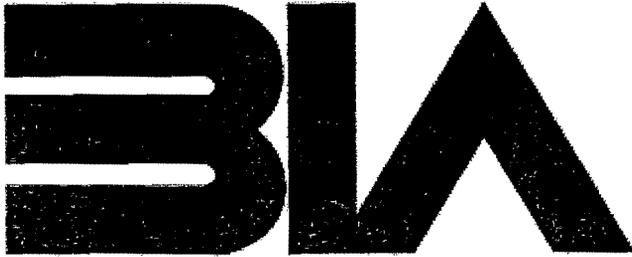
Attachments



1

Jetter, Reginald

From: Robert Kaufman [bkaufman@mncbia.org]
Sent: Thursday, August 25, 2011 4:14 PM
To: Jetter, Reginald
Subject: DPS Permit Fee Schedule Comments



**MARYLAND-NATIONAL CAPITAL
BUILDING INDUSTRY ASSOCIATION**

Re: Method 2 Permit Fee Schedule Amendment

As regards the proposed amendment to the Permit Fee Schedule, the Building Industry proposes that in addition to setting a minimum payment as listed, the schedule also include a maximum up front payment.

The recently approved schedule includes an upfront payment for commercial buildings at 30% of the total permit fee. For a \$50 million dollar building this could easily represent over \$100,000. This covers the costs associated with the DPS review of the building permit up to the issuance of the permit. This seems excessive. Even a \$5 million building would have to pay over \$45,000 up front. We instead propose that the maximum up front fee be no greater than \$25,000 as a sufficient up front fee to cover work necessary for processing a commercial building permit. This will not affect the total permit fee. It will however reduce the up front payment requirements and can help stimulate new investment.

S. Robert Kaufman
Associate Director Government Affairs
Maryland National Capital Building Industry Association
1738 Elton Road
Suite 200
Silver Spring, Maryland 20903
bkaufman@mncbia.org
(301) 445-5408

FIL's Breakfast Series – September 15
A roundtable with Alan Shapiro & Stephen Paul. [Click here](#) to register

Builder Connections (*The Ultimate in Associate Networking*) – Sept. 22
Get connected by [clicking here](#)

Check out NAHB's Member Advantage Program at www.nahb.org/ma

BUILDING HOMES, CREATING NEIGHBORHOODS

Resolution No: _____
Introduced: _____, 2011
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Executive Regulation 5-11AM3, Schedule of fees for permits, licenses, and certifications – method 2, Department of Permitting Services

Background

1. In a memorandum dated May 26, 2011, the County Executive sent Executive Regulation 5-11 to the County Council. On July 5, 2011, he sent the first amended regulation; and he sent a second amended regulation on July 13, 2011, which the Council approved on July 19, 2011 in resolution 17-216. The second Amended Executive Regulation superseded Executive Regulation 11-08.
2. The two main changes in the second amended resolution were:
 - a. To increase the cap on the permit fee for commercial construction projects from \$262,885 to \$366,800.
 - b. To require applicants for permits to pay a greater part of the County's cost of reviewing building plans, when the applicants apply for the permits and before the County incurs the costs, rather than when the applicants get the permit after the County incurs the costs.
3. In the second amended resolution, the filing fee for commercial building permits was 30% of the permit fee.
4. In a memorandum dated September 14, 2011, the Executive sent Executive Regulation 5-11AM3. This amendment corrects the filing fee for commercial building permits subject to MNCPPC Site Plans to specify that the filing fee is 30% of the permit fee **or \$825, whichever is greater** and to specify for all other commercial building permits that the filing fee is 30% of the permit fee **or \$515, whichever is greater**.
5. The Council reviewed the regulation under method (2) of §2A-15 of the County Code.
6. Under method (2), the regulation takes effect if the Council does not approve or disapprove it within 60 days after the Council receives it, unless the Council extends time. The Council received it on September 14, 2011.

Action

The County Council for Montgomery County, Maryland approves Executive Regulation 5-11AM3.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council



MONTGOMERY COUNTY EXECUTIVE REGULATION

COPY

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

**Subject: Schedule of Fees for Permits, Licenses and Certifications –
METHOD 2 - Temporary**

Number: 5-11AMIII

Originating Department: DEPARTMENT OF PERMITTING SERVICES

Effective Date:

Montgomery County Regulation on:

SCHEDULE OF FEES FOR PERMITS, LICENSES AND CERTIFICATIONS – METHOD 2

DEPARTMENT OF PERMITTING SERVICES

Issued by: County Executive
Regulation No.

Authority: Code Sections 8-13, 8-14, 8-24b, 8-28, 17-2, 17-10, 17-20, 27a-5(E), 22-13, 47-2, 47-4
Supersedes: Regulation No. 5-11AMII Schedule of Fees for Permits, Licenses and Certifications
Council review: None

Effective Date:

SUMMARY: This executive regulation corrects the application filing fee for commercial building permits in sections I.C.1. and II.C.1 by inserting the minimum filing fee which was omitted in Executive Regulation 5-11AMII.

ADDRESS: Department of Permitting Services
255 Rockville Pike, Second Floor
Rockville, Maryland 20850

STAFF CONTACT: Hadi Mansouri, Chief
Division of Building Construction
240-777-6233



MONTGOMERY COUNTY EXECUTIVE REGULATION **COPY**

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

**Subject: Schedule of Fees for Permits, Licenses and Certifications -
METHOD 2 - Temporary**

Number: 5-11AMIII

Originating Department: DEPARTMENT OF PERMITTING SERVICES

Effective Date:

BACKGROUND INFORMATION: The Department of Permitting Services was established as a fee-supported enterprise within the Executive Branch of Montgomery County in 1996. Revenues that support the Department are established under these Method 2 Executive Regulations and by County Council resolution.

I. BUILDING PERMITS WITH MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION (MNCPPC) SITE PLAN APPROVAL

A. General

1. All fees required by this section must be paid prior to release of the permit. Construction, including excavation, must not begin until all fees are paid.
2. A filing fee must be paid at the time of application submittal. Filing fees are included in the permit fee.
3. Permit fees are calculated and collected for each permit application. When an application includes multiple buildings, a separate fee will be assessed to each building or for each mailing address.
4. For the purposes of calculating the permit fee residential is defined as detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress.
5. For the purposes of calculating the permit fee for commercial buildings, the following shall apply:

Each portion of a building separated by one or more fire walls or horizontal assemblies (3 hrs), shall be considered as a separate building. Two or more buildings on the same lot shall be treated as separate buildings.

6. Plan revision fees are in addition to the initial permit fees.
 7. Plan revisions are considered changes made by the applicant to the approved construction documents.
- ### **B. One- and Two-Family Dwellings and Related Accessory Structures**

1. Application filing fee for new-building construction

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MONTGOMERY COUNTY

EXECUTIVE REGULATION

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Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: Schedule of Fees for Permits, Licenses and Certifications – METHOD 2 - Temporary	Number: 5-11AMIII
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

a. One- and two-family-detached dwelling unit per dwelling unit:	\$1175
b. One- and two-family-attached dwelling unit per dwelling unit	\$545
2. Application filing fee for addition, alteration or repair	\$310
3. Application filing fee for addition, alteration or repair to homes that utilize a private well or septic system	\$340
4. New construction:	
a. One- and two-family-detached dwelling unit per dwelling unit:	
Gross floor area less than 5,000 square feet (SF)	\$2,350
Gross floor area 5,000 SF but less than 7,500 SF	\$3,345
Gross floor area 7,500 SF or more	\$4,355
b. One- and two-family-attached dwelling unit per dwelling unit	\$1,090
5. Alterations, or repair: \$0.3535 per SF of the construction area	
6. Additions – one and two family detached \$0.4948 per SF of the construction area	
7. Additions – one and two family attached \$0.3535 per SF of construction area	
8. Private in-ground swimming pool (including fence)	\$ 480
9. Private above-ground swimming pool (including fence)	\$ 250
10. Decks (opened unenclosed) 500 SF or less in area	\$185
11. Decks (opened unenclosed) more than 500 SF in area	\$310
12. Retaining Walls	\$185
13. Accessory buildings: 200 SF or less (Includes but is not limited to sheds, garages and gazebos)	\$120
14. Accessory buildings more than 200 SF: \$0.3535 per SF with minimum fee of	\$310



MONTGOMERY COUNTY

EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: Schedule of Fees for Permits, Licenses and Certifications – METHOD 2 - Temporary	Number: 5-11AMIII
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

15. Plan Revision: \$0.3535 per SF of revised area or the filing fee per occurrence, whichever is greater. Each revision occurrence may include revision to one or more disciplines. Plan revisions are considered changes made by the applicant to the approved construction documents. Revisions submitted on different dates are considered separate occurrences.

C. Other Buildings and Structures

1. Application-filing fee for construction, alteration, addition (per occurrence); 30% of permit fee or \$825 whichever is greater
2. New construction and additions: Permit fee is based on the cost of construction as determined by using the latest valuation data and procedures, as published by the International Code Council. The director will provide a worksheet and a formula that includes the latest numerical values of the valuation data and the local permit-fee multiplier to be used in determining the fee. An applicant must provide building dimensions, square footage, use group, construction type, and numbers of floors including basements, in order for the fee to be calculated. The cost of construction is determined by DPS.
 - a. If the calculated cost of construction is equal to or less than \$8,000,000 the permit fee is the cost of construction multiplied by the local permit-fee multiplier \$0.0301.
 - b. If the calculated cost of construction is greater than \$8,000,000 the permit fee is the sum of the fee in 2(a) PLUS the cost of construction of excess amount over \$8,000,000 (to a maximum \$50,000,000) multiplied by \$0.003. MPDU units are excluded from this additional calculation.
3. Repairs, alterations and accessory structures: Permit fee is based on the cost of construction as provided by the applicant multiplied by the local permit fee multiplier. However, the department may verify and recalculate the cost estimation submitted by the applicant by using the latest valuation data and procedures, as published by the International Code Council. The applicant may be required to provide construction bid documents. The director will provide a worksheet and a formula that includes the latest numerical values of the valuation data and the local permit-fee multiplier to be used in determining the fee. An applicant must provide building dimensions, square footage, use group, construction type, and numbers of floors including basements, in order for the fee to be calculated.
 - a. If the cost of construction is equal to or less than \$8,000,000 the permit fee is the



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Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

cost of construction multiplied by the local permit-fee multiplier \$0.0301.

b. If the cost of construction is greater than \$8,000,000 the permit fee is the sum of the total in 2(a) PLUS the cost of construction of the excess amount over \$8,000,000 (to a maximum \$50,000,000) multiplied by \$0.003. MPDU units are excluded from this additional calculation.

4. Plan Revisions: Fees are \$825 or calculated in accordance with sections C.2. or C.3. above per occurrence, whichever is greater. Each revision occurrence may include revision to one or more disciplines. Plan revisions are considered changes made by the applicant to the approved construction documents after the building permit has been issued. Revisions submitted on different dates are considered separate occurrences.

- D. Demolition Permit \$ 360
- E. Fence Permit \$ 78
- F. Use-and-Occupancy Certificates

1. The fee for any commercial Use-and-Occupancy Certificate must be paid at the time of application. The maximum fee is \$12,265

2. The fee for any commercial Use-and-Occupancy Certificate for each building or portion of a building or use is per square foot of area, as follows:

0 - 5,000 SF	\$ 440
5,001 – 10,000 SF	\$ 720
10,001 – 20,000 SF	\$ 860
20,001 SF and up	\$ 860 Plus
\$0.0230 per SF of area exceeding 20,000 SF	

3. The fee for a Use-and-Occupancy Certificate for lots or parcels without buildings/structures on them is \$ 440

4. The inspection fee for using or occupying a site without a Use-and-Occupancy Certificate is \$ 185 in addition to the fee for the Use-and-Occupancy Certificate.

5. Residential Use and Occupancy Certificate \$145



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

**Subject: Schedule of Fees for Permits, Licenses and Certifications –
METHOD 2 - Temporary**

Number: 5-11AMIII

Originating Department: DEPARTMENT OF PERMITTING SERVICES

Effective Date:

G. Mechanical Permit

1. A minimum fee of \$ 65 applies to all Mechanical Permits issued to one- and two-family-attached and -detached dwellings. This fee is in addition to the equipment fee listed in this section.
2. A minimum fee of \$ 105 applies to all other Mechanical Permits. This fee is in addition to the equipment fee listed in this section.
3. Except for one- and two-family attached and detached dwellings, the base mechanical fee is 1.59% of the cost difference between the contract value and the value of listed equipment. The Department may require evidence of the contract value and equipment value. This fee is in addition to the equipment fee listed in this section. The following fee schedule applies to each piece of equipment.

New, replacement and repaired equipment:

- a. Heating equipment (includes, but is not limited to, heat pump auxiliary heat, heating capacity of packaged units, duct heaters, VAV box heating elements, gas-fired fireplaces, geo-thermal units, etc.):
Each 100 MBH or fraction \$ 23
- b. Cooling equipment (includes, but is not limited to, cooling capacity of heat pumps, packaged units, cooling boxes, cooling equipment with compressors, etc.):
Each five ton capacity or fraction \$ 23
- c. Fuel tanks:
Each 500 water gallons \$ 52
- d. Expansion tanks:
Each 50 water gallons \$ 52
- e. Pre-fabricated fireplace (includes wood stoves)
Each firebox \$ 26
- f. Pre-fabricated chimney
Each chimney \$ 14



MONTGOMERY COUNTY

EXECUTIVE REGULATION **COPY**

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METHOD 2 - Temporary**

Number: 5-11AMIII

Originating Department: DEPARTMENT OF PERMITTING SERVICES

Effective Date:

4. Consultation inspection (per hour or fraction) \$135

II. BUILDING PERMITS WITHOUT MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION (MNCPPC) SITE PLAN APPROVAL

A. General

1. All fees required by this section must be paid prior to release of the permit and. Construction, including excavation, must not begin until all fees are paid.
2. A filing fee must be paid at the time of application submittal. Filing fees are included in the permit fee.
3. Permit fees are calculated and collected for each permit application. When an application includes multiple buildings, a separate fee will be assessed to each building or for each mailing address, which ever results in the greater fee.
4. For the purposes of calculating the permit fee residential is defined as detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress.
5. For the purposes of calculating the permit fee for commercial buildings, the following shall apply:

Each portion of a building separated by one or more fire walls, or horizontal assemblies (3 hrs) shall be considered as a separate building. Two or more buildings on the same lot shall be treated as separate buildings.

6. Plan revision fees are in addition to the original or maximum permit fees.
7. Plan revisions are considered changes made by the applicant to the approved construction documents.

B. One- and Two-Family Dwellings and Related Accessory Structures

1. Application filing fee for new-building construction



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Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: Schedule of Fees for Permits, Licenses and Certifications – METHOD 2 - Temporary	Number: 5-11AMIII
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

a. One- and two-family-detached dwelling unit per dwelling unit:	\$738
b. One- and two-family-attached dwelling unit per dwelling unit	\$340
2. Application filing fee for addition, alteration or repair	\$190
3. Application filing fee for addition, alteration or repair to homes that utilize a private well or septic system	\$220
4. New construction:	
a. One- and two-family-detached dwelling unit per dwelling unit:	
Gross floor area less than 5,000 square feet SF	\$1,475
Gross floor area 5,000 SF but less than 7,500 SF	\$2,085
Gross floor area 7,500 SF or more	\$2,725
b. One- and two-family-attached dwelling unit per dwelling unit	\$ 680
5. Alterations or repair: .2209 per SF of the construction area	
6. Additions – one and two family detached .3092 per SF of the construction area	
7. Additions – one and two family attached .2209 per SF of the construction area	
8. Private in-ground swimming pool (including fence)	\$ 295
9. Private above-ground swimming pool (including fence)	\$ 155
10. Decks (opened unenclosed) 500 SF or less in area	\$ 110
11. Decks (opened unenclosed) more than 500 SF in area	\$ 190
12. Retaining Walls	\$ 110
13. Accessory buildings: 200 SF or less (Includes but is not limited to sheds, garages and gazebos)	\$ 76
14. Accessory buildings more than 200 SF: \$ 0.2209 per SF with a minimum fee of \$190.	
15. Plan Revision: \$ 0.2209 per SF of revised area or the application filing fee per occurrence,	



MONTGOMERY COUNTY EXECUTIVE REGULATION

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METHOD 2 - Temporary**

Number: 5-11AMIII

Originating Department: DEPARTMENT OF PERMITTING SERVICES

Effective Date:

whichever is greater. Each revision occurrence may include revision to one or more disciplines. Plan revisions are considered changes made by the applicant to approved construction documents. Revisions submitted on different dates are considered separate occurrences.

C. Other Buildings and Structures

1. Application-filing fee for construction, alteration, addition (per occurrence); 30% of permit fee or \$515 whichever is greater
2. New construction and additions: Permit fee is based on the cost of construction as determined by using the latest valuation data and procedures, as published by the International Code Council. The director will provide a worksheet and a formula that includes the latest numerical values of the valuation data and the local permit-fee multiplier to be used in determining the fee. An applicant must provide building dimensions, square footage, use group, construction type, and numbers of floors including basements, in order for the fee to be calculated. The cost of construction is determined by DPS.
 - a. If the calculated cost of construction is equal to or less than \$8,000,000 the permit fee is the cost of construction multiplied by the local permit-fee multiplier \$0.0188.
 - b. If the calculated cost of construction is greater than \$8,000,000 the permit fee is the sum of the fee in 2(a) PLUS the cost of construction of the excess amount over \$8,000,000 (to a maximum \$50,000,000) multiplied by \$0.003. MPDU units are excluded from the calculation in 2(b). MPDU units are excluded from this additional calculation.
3. Repairs, alterations and accessory structures: Permit fee is based on the cost of construction as provided by the applicant multiplied by the local permit fee multiplier. However, the department may verify and recalculate the cost estimation submitted by the applicant by using the latest valuation data and procedures, as published by the International Code Council. The applicant may be required to provide construction bid documents. The director will provide a worksheet and a formula that includes the latest numerical values of the valuation data and the local permit-fee multiplier to be used in determining the fee. An applicant must provide building dimensions, square footage, use group, construction type, and numbers of floors including basements, in order for the fee to be calculated.
 - a. If the cost of construction is equal to or less than \$8,000,000 the permit fee is the



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

cost of construction multiplied by the local permit-fee multiplier \$0.0188.

b. If the cost of construction is greater than \$8,000,000 the permit fee is the sum of the fee in 2(a) PLUS the cost of construction of the excess amount over \$8,000,000 (to a maximum \$50,000,000) multiplied by \$0.003. MPDU units are excluded from this additional calculation.

4. Plan Revisions: Fees are \$515 or calculated in accordance with sections C.2. or C.3. above per occurrence, whichever is greater. Each revision occurrence may include revision to one or more disciplines. Plan revisions are considered changes made by the applicant to the approved construction documents after the building permit has been issued. Revisions submitted on different dates are considered separate occurrences.

D. Demolition Permit \$ 230

E. Fence Permit \$ 47

F. Use-and-Occupancy Certificates

1. The fee for any Use-and-Occupancy Certificate must be paid at the time of application. The maximum fee is \$ 7,660.

2. The fee for any commercial Use-and-Occupancy Certificate for each building or portion of a building or use is per square foot of area, as follows:

0 - 5,000 SF	\$ 270
5,001 – 10,000 SF	\$ 450
10,001 – 20,000 SF	\$ 530
20,001 SF and up	\$ 530 Plus
\$0.0149 per SF of area exceeding 20,000 SF	

3. The fee for a Use-and-Occupancy Certificate for lots or parcels without buildings/structures on them is \$ 270

4. The inspection fee for using or occupying a site without a Use-and-Occupancy Certificate is \$ 110 in addition to the fee for the Use-and-Occupancy Certificate.

5. Residential Use-and Occupancy Certificate \$90



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G. Mechanical Permit

1. A minimum fee of \$ 65 applies to all Mechanical Permits issued to one- and two-family-attached and -detached dwellings. This fee is in addition to the equipment fee listed in this section.
2. A minimum fee of \$ 105 applies to all other Mechanical Permits. This fee is in addition to the equipment fee listed in this section.
3. Except for one- and two-family attached and detached dwellings, the base mechanical fee is 1.59% of the cost difference between the contract value and the value of listed equipment. The Department may require evidence of the contract value and equipment value. This fee is in addition to the equipment fee listed in this section. The following fee schedule applies to each piece of equipment.

New, replacement and repaired equipment:

- | | |
|--|-------|
| a. Heating equipment (includes, but is not limited to, heat pump auxiliary heat, heating capacity of packaged units, duct heaters, VAV box heating elements, gas-fired fireplaces, geo-thermal units, etc.):
Each 100 MBH or fraction | \$ 23 |
| b. Cooling equipment (includes, but is not limited to, cooling capacity of heat pumps, packaged units, cooling boxes, cooling equipment with compressors, etc.):
Each five ton capacity or fraction | \$ 23 |
| c. Fuel tanks:
Each 500 water gallons | \$ 52 |
| d. Expansion tanks:
Each 50 water gallons | \$ 52 |
| e. Pre-fabricated fireplace (includes wood stoves)
Each firebox | \$ 26 |
| f. Pre-fabricated chimney
Each chimney | \$ 14 |



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: Schedule of Fees for Permits, Licenses and Certifications – METHOD 2 - Temporary	Number: 5-11AMIII
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date:

4. Consultation inspection (per hour or fraction) \$ 135

III. ELECTRICAL PERMIT AND LICENSE FEES

A. General

1. All fees required by this section must be paid before any permit is released, before any electrical work may begin, and before any inspection may be made.
2. A minimum fee of \$ 90 applies to all electrical permits issued to one- and two-family attached and detached dwellings. This fee is in addition to the equipment fee listed in this section.
3. A minimum fee of \$ 150 applies to all other electrical permits. This fee is in addition to the equipment fee listed in this section.

B. Electrical Permits

1. Air conditioners: Apply the motor schedule (see item 18.)
2. Appliances, small* \$ 9 each
 * Such as air filters, automatic-vent ampere, clothes washers or dryers, cooking appliances (stoves, ranges, built-ins), dishwashers, disposals, fans, (exhaust, attic), humidifiers, sump pumps, trash compactors, water heaters or other water-treatment appliances
3. Arc-vapor lamps, rectifiers or rheostat chargers for storage batteries \$ 13 each
4. Battery packs \$ 9 each
5. Commercial new construction: This includes all branch circuit wiring, temporaries-pending-final, equipment/appliances within the structure. These fees are applicable to alternative power source – such as but not limited to: photovoltaic, wind turbine and generators.

Not over 100 Amps	\$ 600
From 101 to 200 Amps	\$ 745
From 201 to 300 Amps	\$ 895



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From 301 to 400 Amps	\$ 1,055
For services over 400 Amps: plus \$140 for each additional 100 Amps or fraction	\$ 1,055
6. Commercial tenant fit-ups, alterations, additions (includes all branch circuit wiring, temporaries-pending-final, equipment/appliances within the space)	
For low voltage or up to 20 devices	\$ 155
For a single story up to 5,000 square feet	\$ 230
For a single story from 5,001 – 10,000 square feet	\$ 380
For a single story from 10,001 – 20,000 square feet	\$ 450
For over 20,000 square feet or multi-story	\$ 520 per story
7. Control wiring for heating, air conditioning, duct heaters, air handlers, and motor-control centers	\$ 21
8. Dental chairs	\$ 13
9. Electrical heating equipment (see motor schedule, item 18.)	
10. Fire/security-alarm systems	\$ 38
11. Single-station smoke detectors (each) installed separately	\$ 4
12. First 20 fixtures	\$ 13
Each additional 10 (or fraction thereof)	\$ 9
13. Gasoline pumps (each)	\$ 9
14. Heating equipment (other than strictly electrical): Residential or commercial: oil burners and gas burners, including controls (each)	\$ 13
15. Modular/mobile home	\$ 90
16. Motion-picture booths and equipment (each)	\$ 90
17. Meter stacks – replacements (each meter)	\$ 31



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18. Motors, rotating machinery, transformers, switch boards, electrical heaters, air conditioners, manually operated generators (assumes 1 kw or 1 kva = 1 hp):
- | | |
|----------------------------|---------------------|
| Under ½ HP | Charged as fixtures |
| ½ HP to 10 HP (each) | \$ 16 |
| Over 10 HP to 20 HP (each) | \$ 21 |
| Over 20 HP to 30 HP (each) | \$ 31 |
| Over 30 HP to 50 HP (each) | \$ 38 |
| Over 50 HP to 75 HP (each) | \$ 46 |
| Over 75 HP (each) | \$ 52 |
19. Outlets and rough wiring
(1 to 20 lights, switches, or receptacles) \$ 16
Each additional 10 outlets or fraction \$ 7
20. Radio, television, telephone (towers, dishes, microwave, relay systems, etc.)
equipment \$ 97
21. Service equipment, heavy-up, replacement, sub-panel, or relocation (Residential only);
0 to 400 Amp \$ 38
401 Amps and up \$ 76
22. Signs (each Sign) \$ 90
23. New Multi-family buildings (apartments, condominium dwelling units);
For each dwelling unit \$ 230
(Common areas such as stairwells, laundry, and storage rooms are charged as individual units for each panel or sub panel required.)
24. Existing multi-family buildings (apartments, condominium dwelling units);
For each dwelling unit \$ 150
(Common areas such as stairwells, laundry, and storage rooms are charged as individual units for each panel or sub panel required.)
25. One- and two-family dwellings and townhouses: This includes all branch circuit wiring, temporaries-pending-final, equipment/appliances within the structure. These fees are also applicable to alternative power source – such as but not limited to: photovoltaic, wind turbine and generators switched with an automatic transfer switch. The flat fees for all wiring, fixtures, appliances, etc., including temporaries pending final, are as follows:



MONTGOMERY COUNTY

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Number: 5-11AMIII

Originating Department: DEPARTMENT OF PERMITTING SERVICES

Effective Date:

Up to 200 Amp	\$ 230
201 to 400 Amp	\$ 335
More than 400 Amp	\$ 450
26. Special deck inspections, slab concealment (each)	\$ 46
27. Sub-panels (Commercial)	
0 to 400 Amp	\$ 38
401 Amps and up	\$ 76
28. Swimming pools, hot tubs, and spas, including circulating pumps, fixtures, and receptacles	\$ 76
Bonding	\$ 21
29. Temporary wiring – carnivals, fairs, holiday decorations and tree lots, etc. (Includes panels, fixtures, outlets, etc.)	\$ 110
30. Temporary for construction (Residential only)	\$ 76
31. Transformers (see motor schedule, item 18.)	
32. Transformer vaults, duct banks (outdoor transformer, enclosure substation, or a switch-and-meter vault on private property including wiring)	\$ 97
33. X-ray machines (each)	\$ 16
34. Any low-voltage work not previously specified	
1-20 devices	\$ 33
Each additional 10 or fraction thereof	\$ 7

C. Electrical License Fees

1. Electrical Examinations

a. Master Electrician & Master Limited	\$ 59
b. Journeyman Electrician	\$ 38



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Effective Date:

- c. Homeowner's Electrical Examination Fee \$ 38
- d. Homeowner's Electrical Re-Examination Fee \$ 31

2. License and License Renewal Fees

- a. Electrical Contractor (per year) \$ 140
- b. Master Electrician (per year) \$ 140
- c. Master Electrician (Limited) (per year) \$ 140
- d. Journeyman Electrician (per year) \$ 59
- e. Apprentice Electrician (identification card) (per year) \$ 31

3. Duplicate license or identification card \$ 31

4. Re-examination fee \$ 31

5. Late-renewal fee \$ 59

6. Electrical contractor change of business name or status \$ 59

7. Electrician Good Standing Letter Fee \$ 31

IV. FIRE-CODE-PLAN-REVIEW FEES

A. General

1. All fees required by this section must be paid before any permit is released and construction is started.
2. The minimum application filing fee is \$ 155.
3. Plan resubmittal means a new plan submitted, along with new permit application to incorporate change(s) or correction(s) to a plan and application that was previously denied.
4. Plan revisions are considered changes made by the applicant to the approved construction documents. Revision fees are in addition to the original or maximum permit fees.

B. Fire-Protection-Systems Fees



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1. Fire-alarm- and -detection systems (devices or household control panel) \$ 16 per device, Max \$ 275/floor
2. Halon, CO2, or clean-agent systems (including controls, alarms, detection)
Dry or wet chemical extinguishing systems \$ 225 per system
3. Fire-sprinkler systems \$ 3 per head
4. Fire pumps \$ 76
5. Standpipe systems:
 - a. New systems (per standpipe riser) \$ 130
 - b. Existing system (per each addition of a hose valve) \$ 38

C. Plan Resubmittal

1. First resubmittal 50% of original fee
2. Second resubmittal 75% of original fee
3. Each subsequent resubmittal 100% of original fee

D. Plan Revisions: fee must be calculated as in item B above or shall be the application filing fee per occurrence, whichever is greater. Revisions submitted on different dates are considered separate occurrences.

V. VENDOR FEES

- A. Application fee (non-refundable) \$ 38
- B. Operator Permit fee
 1. For Non-Certified Agricultural Producers and their operators \$ 38
 2. For Certified Agricultural Producers and their operators \$ 16

C. Point-of-Sale License for Vendors Who are not Certified Agricultural Producers



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METHOD 2 - Temporary

Number: 5-11AMIII

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Effective Date:

- 1. Base Rate (non-refundable) \$ 295
- 2. Per site for Site-Specific Vendor \$ 76

D. Point-of-Sale License for Certified Agricultural Producers

- 1. Base Rate (non-refundable) \$ 76
- 2. Per site for Site-Specific Vendor \$ 38

NOTE: A separate Point-of-Sale License is required for each vending activity at a site.

E. Temporary-Sales License

- 1. 60 consecutive days \$ 190
- 2. Daily Rate \$ 38

F. Performance Bond for Future-Delivery Vendor \$ 1,305

VI. WELL-LOCATION PERMIT

Well-Location Permit (Each well) \$ 160

VII. MISCELLANEOUS

- A. Filing fees and permit fees are based on fees in effect on the date the application was filed. All other fees are based on fees in effect at the time the service is requested (revision fee, extension fee, etc.).
- B. All fees in this schedule are subject to an additional 10% Automation Enhancement Fee. (per Executive Regulation 5-98)
- C. Refunds: Minimum permit filing and license fees are non-refundable. In the case of an abandonment or discontinuance of a project under permit, the person who has paid the permit fee may return the permit for cancellation and, upon cancellation, may be refunded up to 50 percent of the fee paid, less the filing fee or minimum fee, as appropriate, provided: (1) No construction has occurred, and (2) The written request for refund is made prior to the expiration date of the permit. Revoked, suspended, or invalid permits or licenses, or licenses or permits in litigation, are not eligible for refunds.



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Effective Date:

- D. Extensions: The fee to extend a permit, after written application and before the expiration of the original permit, is the minimum permit fee applicable to the permit being extended.
- E. Inspection Fees: (Does not include fire code inspection)
 - 1. First or second approved inspection of the same item or stage of construction for permitted work: Included in permit fee
 - 2. Initial inspection of sites or property where work is proceeding without a permit \$110
 - 3. Applicant requested partial inspection for residential (each occurrence). Each re-inspection (residential or commercial) of the same item or stage of construction after two disapprovals \$110
 - 4. The re-inspection fee must be paid before an additional inspection is scheduled.
- F. Permit Application Revisions: The fee for revisions to permit information after submission by the applicant is \$ 59.
- G. Plan revision, residential - room description name change \$110
- H. Construction-codes modifications or interpretations: (Does not include fire code)
 - 1. The fee for a construction-code-modification request for one- and two-family attached and detached dwellings is \$ 130.
 - 2. The fee for a construction-code-modification request for all other buildings, including multi-family dwellings, is \$ 260.
- I. Permit Denials: All permit requests that are denied because the applicant must apply to the Board of Appeals for a variance must include a non-refundable \$ 59 processing fee.

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VIII. INDEXING OF FEES TO LABOR COST INCREASES

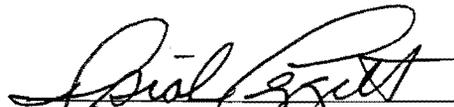
The Director of Permitting Services must adjust each fee set in or under this regulation on July 1 of each year by a percentage that does not exceed the rate of the increase (if any) in the department's approved personnel costs for the then-current fiscal year compared to the approved personnel costs for the preceding fiscal year.

For fees of \$100 or more, the Director must calculate the revised fee to the nearest five dollars. For fees under \$100, the Director must calculate the revised fee to the nearest dollar.

The Director must publish the amount of this adjustment not later than July 1 of each year.

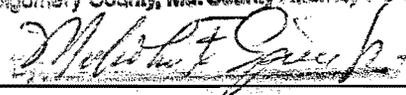
IX. SEVERABILITY

The provisions of these regulations are severable. If a court of competent jurisdiction holds that a provision is invalid or inapplicable, the remainder of the regulation remains in effect.


Isiah Leggett, County Executive

Sept 13, 2011
Date

Approved as to form and legality
Montgomery County, Md. County Attorney



MEMORANDUM

September 23, 2011

TO: County Council
CHS
FROM: Charles H. Sherer, Legislative Analyst
SUBJECT: Executive Regulation 5-11AM3, schedule of fees for permits, licenses, and certifications – method 2, Department of Permitting Services

The Executive's memorandum requesting Council approval of Executive Regulation 5-11AM3 did not include any calculations showing the change in fees, because DPS is merely asking to restore the minimum filing fees for permits for commercial construction that were inadvertently omitted from the ER the Council approved on July 19, 2011.

However, Committee Chair Floreen asked for comparisons, which Council staff attempted to provide, see ©1. Here are some additional observations that may help in understanding Executive Regulation 5-11AM3:

1. When a person applies for a building permit, the person must pay an application filing fee, which is included in the permit fee — the filing fee is **not** in addition to the permit fee.
2. The recent history of the filing fee for commercial building permits follows.

ER11-08, June 17, 2008	\$825/\$515
ER5-11AM2, July 19, 2011	30% of permit fee
ER 5-11 AM3, September/October 2011?	The greater of 30% of permit fee or \$825/\$515

4. This ER 5-11 AM3 simply restores the minimum filing fee that was in ER11-08. That minimum filing fee was inadvertently omitted from 5-11AM2, which the Council approved on July 19, 2011. In other words, the minimum filing fee in ER 5-11 AM3 is the same as it was in ER11-08. **There is no change in the minimum filing fee between these 2 ERs.**
5. ER5-11AM2 did **not** specify a minimum filing fee, this ER 5-11 AM3 **does** specify a minimum.

OVER

	A	B	C	D	E	F	G	H	I
1	ER 5-11AM3								
2									
3	The permit fee is 3.01% of costs <= \$8,000,000 plus 0.3% of costs > \$8,000,000 but < \$50,000,000.								
4	No additional fee is charged for costs > \$50,000,000 - the fee for a \$180,000,000 project is the same as the fee for a \$50,000,000 project.								
5									
6	History of filing fee:								
7	ER11-08, June 17, 2008	\$825/\$515							
8	ER5-11AM2, July 19, 2011	30% of permit fee							
9	ER 5-11 AM3, October 2011?	The greater of 30% of permit fee or \$825/\$515							
10									
11	Fee structure	Estimated construction cost							
12		10,000	15,000	25,000	27,408	50,000	75,000	91,362	100,000
13									
14	First tier	10,000	15,000	25,000	27,408	50,000	75,000	91,362	100,000
15	Second tier	0	0	0	0	0	0	0	0
16									
17	Permit fee at 3.01%	301	452	753	825	1,505	2,258	2,750	3,010
18	Permit fee at 0.30%	0	0	0	0	0	0	0	0
19	Total	301	452	753	825	1,505	2,258	2,750	3,010
20									
21	Fees under the 3 ERs. The filing fee is included in the permit fee.								
22	11-08								
23	Filing fee	825	825	825	825	825	825	825	825
24	Permit fee	825	825	825	825	1,505	2,258	2,750	3,010
25									
26	5-11 AM2								
27	Filing fee	90	135	226	247	452	677	825	903
28	Permit fee	301	452	753	825	1,505	2,258	2,750	3,010
29									
30	5-11 AM3								
31	Filing fee	825	825	825	825	825	825	825	903
32	Permit fee	825	825	825	825	1,505	2,258	2,750	3,010