

MEMORANDUM

June 4, 2015

TO: Planning, Housing, and Economic Development Committee
FROM: Jeff Zyontz, Senior  Legislative Attorney
SUBJECT: Executive Regulations 8-15 and 9-15AM

On May 22, 2015, the Executive transmitted to the Council Executive Regulations 8-15 and 9-15, concerning fees for the Department of Permitting Services' activities. These regulations were published in the April 2015 Montgomery County Register and were subject to a hearing on April 9, 2015. Both regulations have a July 1, 2015 effective date and include an annual adjustment factor that would limit the need for future fee regulation changes. The Department would be able to adjust fees in the future by publishing a rate (based on anticipated revenues, reserves, and the Executive's proposed expenditures) on March 15 that would be effective July 1 of the same year.

Regulation 8-15

This regulation applies to fees charged for permits under Chapters 19 (Erosion, Sediment Control and Stormwater Management), 27A (Individual Water Supply and Sewage Disposal Facilities), and 49 (Streets and Roads). This regulation is included only for information purposes. All of these fees are approved by the Executive under method 3. **A regulation adopted under this method is not subject to County Council approval or disapproval.** Executive staff must send a copy of the adopted regulation to the Council after the deadline for comments published in the Register. The deadline for comments was April 30, 2015. The Executive did respond to comments by changing some provisions of the regulation.¹ The regulation specifies a July 1, 2015 effective date. This regulation will NOT be on the Council's agenda in any form, as there is no action authorized by code.²

¹ The Executive made changes to the draft regulation based on comments received. The following provisions were clarified in the approved regulation from the draft published in the April Register:

- how utility fees are calculated (linear footage)
- when a maintenance plan is applicable
- how sediment control extension fees are calculated (\$210 for open permits with as-built approval)
- when filing fees may be refunded (to correct administrative errors in the filing process)
- when the Enterprise Fund Stabilization Factor is published for the following year (March 15) and the maximum variation from the fees (20% up or down – in the absence of triggering a major rate study).

² This is an application of the secularized serenity prayer. Hopefully the Council has the serenity to accept the things it cannot change, the courage to change the things it can, and the wisdom to know the difference. The Council could change the code to require Council approval, but that action is not warranted.

Regulation 9-15AM

General Background

Regulation 9-15, transmitted to the Council on May 22 and amended on June 3 to 9-15AM, is a method 2 regulation.³ The regulation applies to fees charged for permits under Chapters 8 (Buildings), 17 (Electricity), 27A (Individual Water Supply and Sewage Disposal Facilities), 22 (Fire Safety Code), 30 (Licensing and Regulations Generally), and 47 (Vendors). The Council by resolution may approve or disapprove the proposed regulation within 60 days after receiving it (July 21; however, this matter should go to Council before the July 1 intended effective date). If the Council does not approve or disapprove the proposed regulation by July 21, or by any later deadline set by resolution, the regulation is automatically approved. **If the Council does not approve the proposed regulation, the current fee regulation remains in force.** Although the Council may not directly amend a proposed regulation, the Executive may amend a regulation when faced with the prospect of Council disapproval.

Content

The proposed regulation would replace **multiple fees based on construction type with a per square foot rate or flat fees** and would eliminate the fire code building permit inspection fees. **This translates to a significant simplification of the Department's fee structure.**⁴ As a general matter, commercial permits and fees for small dwelling units would be lower. Fees for large dwelling units and the largest of commercial projects would be higher. Where the fee is based on square footage, the proposed regulation has no maximum fee.⁵ The new fees would also eliminate the Maryland-National Capital Park and Planning Commission (M-NCPPC) surcharge currently applied to site plan regulated construction. There are specific fees for utilities, maintenance of traffic plans, and right-of-way permits.

Regulation 9-15AM includes Building Permit fees for electric vehicle charging stations and rooftop solar photovoltaic systems for single family dwellings.⁶ The fees for benefit performance licenses and the fee for Storage of Vendor-Confiscated Goods would be included in this regulation and deleted from

³ Method (2)

- (A) The issuer must send a copy of the proposed regulation to the County Council after the deadline for comments published in the Register.
- (B) The Council by resolution may approve or disapprove the proposed regulation within 60 days after receiving it.
- (C) If necessary to assure complete review, the Council by resolution may extend the deadline set under subparagraph (B).
- (D) If the Council approves the regulation, the regulation takes effect upon adoption of the resolution approving it or on a later date specified in the regulation.
- (E) If the Council does not approve or disapprove the proposed regulation within 60 days after receiving it, or by any later deadline set by resolution, the regulation is automatically approved.
- (F) If a regulation is automatically approved under this method, the regulation takes effect the day after the deadline for approval or on a later date specified in the regulation.

⁴ Other jurisdictions have also gone to a more simplified approach to fees. Arlington charges on a per square foot basis for building review and then has an added charge per square foot for zoning office review of building permits. The District of Columbia charges for a mixture of cubic feet and square feet, and Baltimore City charges for cubic feet.

⁵ Arlington and Alexandria, both of which are at least partial enterprise funds, do not cap their permit fees.

⁶ Required by Bill 11-14, Buildings – Electrical Vehicle Charging Station Permits and Expedited Review and Bill 1-14, Buildings – Solar Permits – Expedited Review, both of which were effective July 31, 2014.

Executive Regulation 15-13, Schedule of Fees for Permits, Licenses and Inspection. This regulation would supersede Executive Regulation 14-13 in its entirety.

Amendments since April draft

Comments from the building community did result in changes to Regulation 9-15 from the draft advertised in the April Register.

- The minimum fee for residential additions was lowered from \$700 to \$265.
- Townhouses was revised to require a flat fee (\$1,400 for market rate units and \$1,000 for MPDUs).
- Refunds would be allowed to correct administrative errors in the filing process.
- The Enterprise Fund Stabilization Factor for the following fiscal year must be published March 15 in the preceding year.
- An Enterprise Fund Stabilization Factor that varies from the fee in the regulation by more than 20 percent (up or down) would trigger a fee review.

Although there was considerable comment by custom builders concerning the draft regulations, the Executive did not include a maximum residential fee. DPS found that residential permits require about \$6.3 million to process and that current fees were generating between \$3 and \$4 million. The comments from large commercial builders did not induce the Executive to cap commercial fees.

Amendments after May 22

After additional consultations with the development community, the Executive submitted amended regulations to the Council. The amendment would address concerns for custom home builders and large commercial builders. For FY16, each square foot of a dwelling unit above 5,000 square feet will have a lower fee than the first 5,000 square feet. Commercial buildings in excess of 500,000 square feet will be charged a lesser fee for the square footage over 500,000 square feet.

The Enterprise Fund Stabilization Factor (EFSF)

This factor is a new aspect of fee regulation that is designed to prevent the accumulation of large deficits or surpluses without changing the fee regulation itself. As proposed, it would allow the Department to publish an adjustment on March 15 for implementation on July 1. There would be no limit to the amount of the adjustment, but a 20 percent variation up or down would trigger a review of fees, which may occur in the next fiscal year.⁷ Paying cash of the Department's new Wheaton headquarters is part of the Department's budget projections but it is not a basis for a change in fees under the EFSF. The adjustment of the fee would be based on the Executive's proposed budget for DPS (including projected revenues and reserves). The Council-approved budget, which happens after March 15 but before June 1, would not affect the next fiscal year's stabilization fund factor. **It may affect the adjustment factor 13 months after the budget's approval by changing available reserves.** Recently, the Council has not made significant changes from the DPS budget submitted by the Executive.

⁷ The requirement is that DPS review its rates and the functional analysis, not necessarily that a full-blown fee study be undertaken. At a minimum, DPS would need to review the assumptions that underlie the model (functional analysis). It is most likely that the analysis would occur in the fiscal year following the adjustment.

A regulation with an automatic indexing fee is not new. The current fee regulation contains an indexing provision that enables DPS to make annual changes to cover escalating personnel costs. DPS has chosen not to exercise that provision, even though the provision says “must”.⁸ The EFSF is a variation of that. The existing regulation requires publication of the index by July 1, but it reflects the Council-approved budget.

Staff recommendation

Approve ER 9-15AM.

<u>This packet contains</u>	<u>© number</u>
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⁸ **08.14.01.11 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.

EXEC REG



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2015 MAY 22 PM 2:20

OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

RECEIVED
MONTGOMERY COUNTY
COUNCIL

MEMORANDUM

May 21, 2015

Method 3

TO: George Leventhal, Council President

FROM: Isiah Leggett
County Executive

SUBJECT: Department of Permitting Services (DPS) Executive Regulation 8-15
Schedule of Fees for Permits, Licenses and Inspections – Method 3

Enclosed please find Executive Regulation 8-15, Schedule of Fees for Permits, Licenses and Inspections—Method 3. This regulation was advertised in the April, 2015 Montgomery County Register, a hearing was held on April 9, 2015 and the public comment period closed on April 30, 2015. Executive Regulation 8-15 supersedes Executive Regulation 15-13 and establishes fees based upon functional analysis, provides additional flat fees including for utilities, moves payment of the balance of sediment control permit fee from second review to one year after permit issuance for certain sediment control permits and applies a factor to address revenue volatility and avoid excess reserves.

The proposed fees are the result of a comprehensive fee study undertaken this fiscal year. The study made numerous recommendations related to determination of fees by functional analysis. As a result of the study and the comprehensive review, proposed changes include, among other things a reduction to right-of-way permit fees, an increase to fees for engineered sediment control plans, utility fees and certain flat fees and a new fee for certain maintenance of traffic plans.

Several comments were received and are summarized on the attached table along with the Department of Permitting Services' responses to comments raised. As a result of review of the comments received and related information, the transmitted regulation includes the following changes:

- Language was added to clarify that utility fee rates in excess of the minimum fee are on a linear foot basis.
- Clarify the circumstances in which the fee for maintenance of traffic plans applies.
- Language was added to make clear that sediment control extension fees are \$210 for open permits that have received as-built approval.

George Leventhal, Council President
May 21, 2015
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- Language has been provided to clarify that refund of filing fees is allowed to correct administrative errors in the application process.
- Modify the indexing of fees to labor and operating cost changes and to manage reserves to rename the index multiplier the Enterprise Fund Stabilization Factor (EFSF), require publication of the EFSF by March 15 prior to the next fiscal year and establish thresholds of the EFSF that would trigger a requirement for DPS to review its fee rates.

A Fiscal Impact Statement will be provided under separate cover. Staff from the Department of Permitting Services is available to assist with any questions that the County Council may have.

Attachments

Public Comments

Proposed Executive Regulation 8-15 Schedule of Fees for Permits, Licenses and Inspections - Method 3

COMMENT

SUBMITTED BY

DPS RESPONSE

Proposed Utility Permit Fees result in significant cost increases, including permits for critical work

Charles L. Washington Jr., PEPCO

The results of the fee study showed DPS was not recovering all costs associated with processing, reviewing and inspecting utility permit activity.

The cost of PEPCO's most commonly requested permits would nearly triple

Charles L. Washington Jr., PEPCO

The results of the fee study showed DPS was not recovering all costs associated with processing, reviewing and inspecting utility permit activity.

The filing fee for underground utility work would increase by approximately 550%

Charles L. Washington Jr., PEPCO

The results of the fee study showed DPS was not recovering all costs associated with processing, reviewing and inspecting utility permit activity.

The proposed fee increase comes at a time when PEPCO has increased permit applications to improve service reliability in Montgomery County

Charles L. Washington Jr., PEPCO

No Comment

PEPCO is concerned how the proposed fee increase will impact electricity rates

Charles L. Washington Jr., PEPCO

No Comment

PEPCO requests the County commit to a formal timeframe for permit processing within two weeks.

Charles L. Washington Jr., PEPCO

DPS routinely processes, reviews and issues utility permits within the timeframe requested.

The utility fees are not clearly defined. PEPCO requests DPS clearly define "Major Permits", "Minor Permits", "Traffic Management Plan" and "Special Use and Roadway Occupancy" permits.

Charles L. Washington Jr., PEPCO

PEPCO proposes "Major Permits" be defined as underground work on circuits that are 69kv or greater. Additionally, if a specific project distance is assigned for the \$775 fee, we request the fee be prorated for projects that extend beyond the specified distance.

Charles L. Washington Jr., PEPCO

PEPCO proposes "Minor Permits" be defined as work on aerial infrastructure; underground work that is less than 69kv; and for service connections to individual customers. If a specific project distance is assigned for the \$425 fee, we request the fee be prorated for projects that extend beyond the specified distance.

Charles L. Washington Jr., PEPCO

PEPCO requests that "Traffic Management Plans" be limited to projects that require traffic control for at least ten days and occur in Central Business Districts.

Charles L. Washington Jr., PEPCO

DPS proposes the following clarification: 1. Longitudinal Underground Trenches and Construction which run lengthwise to the road surface: \$0.775 per linear foot, \$775 Minimum. 2. Individual Underground House Connections: \$425 per Connection. 3. Other Underground Activities that do not require open trenching or minimal trenching: \$0.425 per linear foot, \$425 Minimum. 4. Surface and Aerial construction activities that do not disturb existing pavement: \$0.425 per linear foot, \$425 Minimum. Traffic Management Plans: language has been added to make clear that a fee for maintenance of traffic plans applies in limited circumstances.

DPS agrees to prorate.

DPS agrees to prorate.

See Line 18.

The combination of increased application and extension fees negatively impact business.

Robert J. Spalding, Miller and Smith

It is unclear whether changes will be made to the current estimation of construction costs table. Since construction costs are part of the fee calculation formula, changes to the current table should be made through Method 3.

Robert J. Spalding, Miller and Smith

The reduction of fees for Engineered Public Right of Way, Driveways, Permit Revisions and Extension from 14.93% to 14.65% is more than offset by the 50% increase to extension fees. We propose keeping the extension fee at 10% or alternatively extending the life of the permit and extensions to reduce overall cost.

Robert J. Spalding, Miller and Smith

Proposed fees are based on costs to the Department which must be recovered for each permit type.

A recent study conducted by the Department showed no changes were needed to bond amounts at this time. Any future revision to the table would be proposed under Method 3 Fee Regulations.

Permits that need to be extended need to cover the then current costs of those services. The FY16 budget is the base year for setting the rate. Costs increase year over year. For example typically staff costs go up due to cost of living adjustments and merit increases (an estimated annual 3.5% and 3.25%) each year. Rent and pass-throughs increase each year with the 2 recent years totaling a 14.8% increase. DPS costs of services provided to it also increase based on increases in the costs of those services year over year. DPS believes that 15% is a reasonable amount.

The combination of the increased permit fee and extension fee for Sediment Control permits results in a 108% increase in the cost to extend a permit. We propose keeping the current fee (\$.062) per square foot and extension fee (10%) in place.

Robert J. Spalding, Miller and Smith

We propose language that "permit extension fees after acceptance of the as-built plan is the minimum fee of \$210"

Robert J. Spalding, Miller and Smith

Clarify if the minimum and maximum fee for SPA Water Quality Plan Review is the fee at submittal or an additional fee.

Robert J. Spalding, Miller and Smith

Revise language that "Filing fees are non-refundable" to include "*except in the case of an administrative error*"

Robert J. Spalding, Miller and Smith

Regarding "Indexing of Fees" language, we recommend any changes be made through Method 3 to allow for public review and comment.

Robert J. Spalding, Miller and Smith

Permits that need to be extended need to cover the then current costs of those services. The FY16 budget is the base year for setting the rate. Costs increase year over year. For example typically staff costs go up due to cost of living adjustments and merit increases (an estimated annual 3.5% and 3.25%) each year. Rent and pass-throughs increase each year with the 2 recent years totaling a 14.8% increase. DPS costs of services provided to it also increase based on increases in the costs of those services year over year. DPS believes that 15% is a reasonable amount.

DPS will maintain the \$210 Sediment Control permit extension fee if an as-built plan has been submitted and approved by the Department.

The SPA Water Quality Plan Review fee is the fee at submittal.

DPS will include clarifying language.

Indexing of fees has been in regulations for years. ER8-15 has a modification to clarify how it will work. DPS has modified the advertised ER to provide for publication of the enterprise fund stabilization factor by March 15 prior to next budget year and to provide for thresholds that would trigger a review of rates.

Requests that Washington Gas be given the opportunity to review the proposed fees after review by the County Executive and before the new fees are enacted.

Robert M. Glidewell, Washington Gas

DPS can forward you the final proposed fees; however, the record is no longer open for submission of formal comments.

Washington Gas requests in the case of both "minor" and "major permits where the price is based on linear feet, that the permit cost beyond the first 1,000 feet be charged on a prorated basis.

Robert M. Glidewell, Washington Gas

See Line 18

Washington Gas applies for over 1,500 minor permits per year. This proposal will increase costs by 300% that will be passed on to the consumer. This is an undue hardship on those customers who are working to reduce their carbon footprint and bring down their energy costs. We propose this fee be capped at \$250.

Robert M. Glidewell, Washington Gas

No Comment

Due to MD State Bill 9, commonly known as STRIDE, Washington Gas embarked on the largest pipe replacement program in its history. Pipe mains that are 8" or less do not require open trenching to install; a new plastic pipe is installed inside the existing (to be abandoned) pipe. We request the County categorize main replacement work where the pipe size is 8" in diameter and smaller as a minor permit and replacement work where the pipe size is 10" and larger be categorized as a "major" permit.

Robert M. Glidewell, Washington Gas

See Line 18

The consultant's report analyzed the costs it takes to operate DPS, but does not address any correlation between the work by the county and the cost of the proposed new types of permits. We are left to speculate how the proposed fee costs were arrived at.

Robert M. Glidewell, Washington Gas

DPS disagrees, the consultant's report and model are very specific.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: Schedule of Fees for Permits, Licenses and Inspections – METHOD 3	Number: 8-15
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: July 1, 2015

Montgomery County Regulation on:

SCHEDULE OF FEES FOR PERMITS, LICENSES AND INSPECTIONS – METHOD 3

DEPARTMENT OF PERMITTING SERVICES

Issued by: County Executive
Regulation No. 8-15
COMCOR No. 19.67.02

Authority: Montgomery County Code (2004) Sections 49-35, 19-6, 19-17, 19-30, 19-45, 19-67, [30-2],
[30-4] 27A-5(e)

Supersedes: Regulation No. 15-13

Council Review: Method 3 under Code Section 2A-15

Comment Deadline: April 30, 2015

Effective Date: July 1, 2015

SUMMARY: This Executive regulation simplifies several elements of the Department of Permitting Services fee structure, adjusts fees based upon functional analysis, provides additional flat fees including for utilities, moves payment of the balance of sediment control permit fee from second review to one year after permit issuance for certain sediment control permits and applies a rate stabilization factor to address revenue volatility and avoid excess reserves. This Executive Regulation supersedes Executive Regulation 15-13 in its entirety.

STAFF CONTACT: Rick Brush, Chief
Division of Land Development
240-777-6343

Linda Kobylski, Manager
Division of Land Development
240-777-6346

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



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

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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 3 Regulations and by Council resolution. The Department of Permitting Services is funded through its collection of fees. In Fiscal 2015 the Department of Permitting Services engaged in a comprehensive study of its fee structure. As a result of this study, certain recommendations were made including to simplify several elements of its fee structure, adjust fees based upon functional analysis, provide additional flat fees, move payment of balance of permit fee from second review to one year after permit issuance for certain sediment control permits and apply a rate stabilization factor to address revenue volatility and avoid excess reserves.

[19.67.02.01 Road And Right-Of-Way Construction

All roadway-construction projects, or any construction activity within the boundaries of a dedicated public right-of-way; including roads, sidewalks/bikeways, curbs, gutters, and drainage systems; require a permit and will be charged a fee by the Department of Permitting Services.

A. General

1. Applications, including applications for revisions, must be accompanied by the permit fee or the filing fee as specified.
2. All remaining fees must be paid prior to any subsequent submission for review or prior to permit issuance, whichever occurs first.
3. The estimated project cost is determined by the Director of the Department of Permitting Services based on average costs submitted on recent County capital-improvement project bids for comparable work.
4. Permit fees are not transferable.
5. The minor plat fee must be paid at the time of application or before the Department initiates reviews.
6. The fee for a revision to a Public Right-of-Way Permit for changes of ownership is the minimum permit fee.
7. The fee for a change of legal description or other administrative revision to a Right of Way Permit after permit issuance is 50% of the minimum permit fee.
8. All fees noted in this regulation are subject to a 5 % Automation Enhancement fee per COMCOR 08.24B.02.

B. Work in Public Right-of-Way Permit

(for Driveway Permits, Roadway Occupancy Permits, Special Use Permits)

The fee is based on 14.930% of the estimated project cost.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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A non-refundable filing fee of \$135 is required for all Work in Public Right-of-Way Permit applications.

C. Engineered Public Right-of-Way Permits

For the following permit types,

- Roadway Grading Permit,
- Paving Permit,
- Storm Drain Permit

the permit fee is calculated as the greater of:

1. Minimum fee \$1,895, or
2. 14.930% of the estimated project cost.

A filing fee must be paid at time of application in the amount of the minimum fee or 30% of the total permit fee whichever is greater. An engineered cost estimate fully detailing estimated project cost based on work proposed by application must be included with the initial application.

D. Minor Subdivision Record Plat Review

For review and approval of Subdivision Record Plats created per requirements of Chapter 50 Section 35A for Minor Subdivisions, a non-refundable filing fee of \$500 is due at application.

E. Permit Revisions

The fee for a revision to a Public Right-of-Way permit is:

1. For Work in Public Right of Way Permits, the fee is the greater of:
 - a. Minimum fee of \$135 or
 - b. 14.930% of the estimated revision cost
2. For Engineered Right-of-Way Permits, the fee is the greater of:
 - a. Minimum fee of \$1895 or
 - b. 14.930% of the estimated revision cost

A filing fee must be paid at time of application in the amount of the minimum fee or 30% of the total permit fee whichever is greater. An engineered cost estimate fully detailing estimated project cost based on work proposed by application must be included with the initial revision application.

F. Public Right-of-Way Permit Extensions

Road and Right of Way construction permits are valid for a period of 18 months. Upon



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

Subject: Schedule of Fees for Permits, Licenses and Inspections – METHOD 3	Number: 8-15
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written request, prior to the expiration of the permit and the payment of an extension fee, the permit may be extended for 12 months. The fee to extend a permit is ten percent (10%) of the current fee, but not less than \$175.00.

G. Temporary Construction Activities

A permit is required for any temporary structure placed within a road or public right-of-way. A minimum fee of \$175 will be charged for a crane, dumpster, storage container, or scaffolding/pedestrian walkway-permit.

19.67.02.02 Sediment Control, Stormwater Management, And Floodplain Districts

A. General

1. Applications, including applications for revisions, must be accompanied by the permit fee or the minimum filing fee as specified.
2. All remaining fees must be paid prior to any subsequent submission for review or prior to permit issuance, whichever occurs first.
3. All Stormwater Management Concept fees, Floodplain Study fees and Floodplain-District Permit fees must be paid at the time of application or before the Department initiates reviews
4. Permit fees are not transferable.
5. Sediment-Control Permits are not transferable.
6. The fee for a revision to a Sediment Control Permit or a Floodplain District Permit for changes of ownership is the minimum permit fee.
7. The fee for a change-of-legal description or other administrative revision to a Sediment Control Permit or a Floodplain District Permit after permit issuance is 50% of the minimum permit fee for the permit type being revised.
8. All fees noted in this regulation are subject to a 5 % Automation Enhancement fee per COMCOR 08.24B.02.

B. Stormwater Management

1. Stormwater Management Concept Fee
All SWMC fees must be paid before the Department initiates reviews. Stormwater Concept Plan filing fees are:
 - a. For concepts of onsite stormwater management for a separate single-family residential lot \$1,040
 - b. All other stormwater management concept plans which are for development of 25 acres or fewer \$2,440
 - c. All other stormwater management concept plans which are for



MONTGOMERY COUNTY EXECUTIVE REGULATION

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	<p style="text-align: right;">development of greater than 25 acres \$3,120</p> <p>d. Fees for revisions to previously approved Stormwater Concept plans are 50% of the current fee.</p> <p>If the Stormwater Management Concept and the Site Development Stormwater Management Plan are combined as allowed in Chapter 19 then only the Stormwater Concept fee applies.</p>	
2.	<p>Stormwater Management Administrative Waiver Review for Grandfathering The filing fees are as follows:</p> <p>a. For administrative waiver review of onsite stormwater management for a single-family residential lot \$520</p> <p>b. All other stormwater management administrative waiver reviews which are for development of 25 acres or fewer \$1,220</p> <p>c. All other stormwater management administrative waiver reviews which are for development of greater than 25 acres \$1,560</p>	
3.	<p>Site Development Stormwater Management Plan The filing fees are as follows:</p> <p>a. For Site Development Stormwater Management Plan review of onsite stormwater management for a separate single-family residential lot \$520</p> <p>b. All other stormwater management Site Development Stormwater Management Plan reviews which are for development of 25 acres or fewer \$1,220</p> <p>c. All other stormwater management Site Development Stormwater Management Plan reviews which are for development of greater than 25 acres \$1,560</p> <p>d. Fees for revisions to approved Site Development Stormwater Management Plans are the same as for new submittals.</p>	
4.	<p>Sediment Control Permits</p> <p>a. Engineered Permits A filing fee must be paid at time of application in the amount of the minimum fee or 30% of the total permit fee whichever is greater.</p> <p style="margin-left: 20px;">1. For New applications of Engineered Sediment Control Permits, the permit fee is the greater of:</p> <p style="margin-left: 40px;">a. Minimum fee of \$1895, or</p> <p style="margin-left: 40px;">b. \$0.062 per square feet of disturbed area</p>	



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2. For Permit Revisions with increased disturbed area, the revision fee is the greater of:
 - a. Minimum fee of \$1895, or
 - b. \$0.062 per square feet of disturbed area
3. For Permit Revisions with no increase of disturbed area, the revision fee is the greater of:
 - a. 35% of the current fee based on total disturbed area,
 - b. Minimum fee of \$1895, or
 - c. Maximum fee of \$4,160

b. Small Land Disturbance Permits

For Small Land Disturbance Permits, which are those that do not require stormwater management to be addressed as determined by the Department, the filing fee, which is paid at application is

1. For construction of a primary building or addition on single family residential lots or parcels as based on total lot size, the filing fee is:

a. 10,000 square feet or fewer	\$ 630
b. 10,001 – 20,000 square feet	\$1,265
2. For construction activities that do not require the use of an engineered sediment control plan, as determined by the department and is based on the total disturbed area, the filing fee is:

a. 10,000 square feet or fewer	\$ 630
b. 10,001 – 20,000 square feet	\$1,265
3. For Permit Revisions, the revision filing fee is:

a. 10,000 square feet or fewer	\$ 315
b. 10,001 – 20,000 square feet	\$ 633

c. Forest Harvest Activities Sediment Control Permits

Harvest Activities permit filing fee \$ 210

d. Maintenance of Stormwater Management Facilities Sediment Control Permits

Maintenance of Stormwater Management Facilities permit filing fee \$ 545

e. Post Construction Monitoring Sediment Control Permits

Post construction monitoring of Stormwater Management Facilities permit filing fee \$ 545



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f. **Stormwater Management As-Built Plans**
The fee for the review and approval of stormwater management as-built plans is \$1,895. An additional fee of \$1,895 will be assessed when as-built plans are submitted for stormwater management facilities which have not been constructed in accordance with Department approved plans

g. **Sediment Control Plan and Permit Extension**
Sediment Control Plans and Permits are valid for a period not to exceed two (2) years from the date of issuance or approval. Plan and permit extensions are valid for one (1) year. Upon written request, prior to the expiration of the permit and the payment of an extension fee, the permit may be extended for 12 months. The fee to extend all Sediment Control Permits is \$0.0062 per square feet of disturbed area, as designated on the original permit or plan approval. The minimum fee for an extension is \$210. Expiration of a plan prior to permit issuance requires that the plan be revised to update approvals on the plan. A sediment control revision fee is required.

5. **Floodplain District and Floodplain Study**
- a. Floodplain District Permit filing fee \$ 730
 - b. Filing fee for review and approval of Dam-Breach studies using the TR-60Q, Max estimation method \$ 730
 - c. Filing fee for review and approval of all other Dam Breach Analyses \$2,080
 - d. Certification of Floodplain District limits not covered by F.1, F.2, F.3 or F.4 \$ 180
 - e. Floodplain District Permits are valid for two (2) years from the date of issuance. The fee to extend a Floodplain District Permit is \$190 and the extension is valid for one (1) year

19.67.02.03 Water Quality Review And Monitoring In Special Protection Areas

All Water Quality Review fees must be paid at the time of application or before the Department initiates reviews.

A. Preliminary-Water-Quality-Plan-Review Filing Fees

- 1. Five or fewer acres \$ 1,425
- 2. More than 5 – 15 Acres \$ 2,670



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3.	More than 15 – 25 Acres	\$ 3,905
4.	More than 25 – 75 Acres	\$ 6,960
5.	More than 75 – 125 Acres	\$ 8,705
6.	More than 125 – 175 Acres	\$ 10,420
7.	More than 175 – 225 Acres	\$ 12,145
8.	More than 225 – 275 Acres	\$ 13,855
9.	More than 275 – 325 Acres	\$ 15,455
10.	More than 325 – 375 Acres	\$ 17,310
11.	More than 375 Acres	\$ 19,030

B. Final Water-Quality-Plan-Review Filing Fees

1.	5 Acres or less	\$ 1,170
2.	More than 5 – 15 Acres	\$ 2,370
3.	More than 15 – 25 Acres	\$ 3,530
4.	More than 25 – 75 Acres	\$ 6,835
5.	More than 75 – 125 Acres	\$ 9,035
6.	More than 125 – 175 Acres	\$ 11,250
7.	More than 175 – 225 Acres	\$ 13,570
8.	More than 225 – 275 Acres	\$ 15,645
9.	More than 275 – 325 Acres	\$ 17,845
10.	More than 325 – 375 Acres	\$ 20,050
11.	More than 375 Acres	\$ 22,260

C. Stream-Monitoring Fees: Stream-monitoring fees in the amount of \$ 860 per acre must be paid by the permittee prior to issuance of the Sediment-Control Permit for the development site. For the purpose of fee calculation, the total acreage of the site as shown on the approved record plat shall be used. All fractions of acreage will be rounded to the nearest whole number. If the acreage fraction is .5, the next higher whole number will be used. The Department of Permitting Services collects this fee for the Department of Environmental Protection.

D. Revisions: A revision fee in the amount of 35% of the current fee must be paid by the permittee for any significant amendments to the approved preliminary or final water-quality plan. Minor revisions to the approved preliminary or final water-quality plan do not require an additional plan-review fee.

19.67.02.04 Benefit Performances



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A bona fide non-profit organization may conduct a performance for the exclusive benefit of a volunteer fire department, or a charitable, benevolent, patriotic, fraternal, educational, religious or civic object. A benefit performance includes an outdoor or indoor carnival, fair, picnic, dance, card party, bazaar, concert, contest, horse show, exhibition, lecture, barbecue, or dinner, to which the public is invited or admitted, with or without charge for admission. The net proceeds must benefit solely the non-profit organization.

- | | |
|------------------------|-------|
| A. Benefit Performance | \$ 57 |
| B. Duplicate License | \$ 16 |

19.67.02.05 Storage Of Vendor-Confiscated Goods

This regulation sets a fee for the storage of goods confiscated by the Department of Permitting Services enforcement staff from vendors illegally offering goods for sale.

- | | |
|-------------|-------|
| Storage Fee | \$ 73 |
|-------------|-------|

19.67.02.06 Individual Water-Supply And Sewage-Disposal Systems

- A. General
1. Applications, including applications for revisions, must be accompanied by the permit fee or the minimum filing fee as specified.
 2. All remaining fees must be paid prior to any subsequent submission for review or prior to permit issuance, whichever occurs first.
 3. Permits are valid for a period of one year.
 4. Permit fees are not transferable.
 5. The fee for revisions to permit information after submission by the applicant is \$135.
 6. The fee for minor plan revisions is the Minor Plan Review Fee.
 7. The fee for investigation, review and issuance of a permit to repair an existing sewage-disposal system is the Minor Plan Review Fee
 8. All fees noted in this regulation are subject to a 5 % Automation Enhancement fee per COMCOR 08.24B.02.
- | | |
|---|--------|
| B. Conventional Percolation Tests Per Lot (each visit) | \$ 520 |
| C. Percolation Tests Per Lot for Mound Systems (each visit) | \$ 935 |
| D. Percolation Tests Per Lot for Alternative and Innovative Systems | |



MONTGOMERY COUNTY EXECUTIVE REGULATION

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(each visit)	\$ 935
E. Water-Table-Level Check (each visit)	\$ 410
F. Individual-Sewage-Disposal-System Permit	\$ 935
G. Plans Review for Subdivision and platted Lots and Revisions (Per Lot)	\$ 500
H. Minor Plan Review (Including Environmental Health Survey)	\$ 275
I. Partial Environmental Health Survey	\$ 140
J. Septage-Hauler-Permit Inspection (per truck)	\$ 210
K. Permit Extensions	
Permits are valid for a period of 12 months. Upon written request, prior to the expiration of the permit and the payment of an extension fee, the permit may be extended for 6 months. The fee to extend a permit is \$135.00.	
19.67.02.07 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.	
19.67.02.08 Miscellaneous	
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.).	
A. Responsible Personnel Certification Program	
Registration fee for Sediment Control Green Card Training	\$ 50
B. Permit Application Revisions	



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The fee for revisions to permit information after submission by the applicant and prior to permit issuance is \$ 59

C. Refunds

Fee refunds are categorized as follows:

1. Filing fees are not refundable
2. In the case of an abandonment or discontinuance of a project under permit, a refund of up to 50 percent of the fee paid (excluding filing fees) may be granted provided:
 - a. No construction has occurred, and
 - b. A written request for refund is made prior to the expiration date of the permit.
 - c. Revoked, suspended, or invalid licenses or permits or permits or licenses in litigation are not eligible for refunds

D. Bonding Alterations

Bonds must be posted for permitted projects in accordance with the applicable Code. Fees for alterations to a posted bond are as follows:

1. Fee to replace a Performance Bond, Irrevocable Letter of Credit, Cash Bond or Certificate of Guarantee \$110
2. If the purpose of the replacement is to reduce the amount of the instrument due to partial completion of work, the fee for the partial reduction is \$220

19.67.02.09 Severability

If a court holds that part of this regulation is invalid, the invalidity does not affect other parts.]

COMCOR 19.67.02 Schedule of Fees for Permits Licenses and Inspections – Method 3

19.67.02.01 Road And Right-Of-Way Construction

All roadway-construction projects, or any construction activity within the boundaries of a dedicated public right-of-way; including roads, sidewalks/bikeways, curbs, gutters, and drainage systems; require a permit and will be charged a fee by the Department of Permitting Services.

A. General

1. Applications, including applications for revisions, must be accompanied by the permit fee or the filing fee as specified.
2. All remaining fees must be paid before permit issuance.



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3. The estimated project cost is determined by the Director of the Department of Permitting Services based on average costs submitted on recent County capital-improvement project bids for comparable work or a current professionally prepared cost estimate for the average costs of such work. Information regarding estimation of construction costs can be found at this link: <http://permittingservices.montgomerycountymd.gov/DPS/bond/BondsEstimate.aspx>
4. Where a maintenance of traffic or traffic control plan is required, a permit must be obtained for activity in the right-of-way and the permit fee must be paid before permit issuance.
5. The minor plat fee must be paid prior to Department approval.
6. The fee for a revision to an Engineered Public Right-of-Way Permit for changes of ownership is the minimum permit fee.
7. The fee for a change of legal description or other administrative revision to a Right of Way Permit after permit issuance is 50% of the minimum permit fee.
8. All fees noted in this regulation are subject to the Automation Enhancement Fee per Executive Regulation 13-13 (COMCOR 08.24B.02).

B. Work in Public Right-of-Way Permits

- **Driveway Permits**
 1. Fee is 14.65% of the estimated project cost.
 2. Non-refundable filing fee of \$150 is required.

- **Utility Permits**

<u>1. Under Roadway Work</u>	<u>\$0.775/LF, Minimum \$775</u>
<u>2. Above Roadway Work (minimal or no trenching)</u>	<u>\$0.425/LF, Minimum \$425</u>
<u>3. Aerial Work</u>	<u>\$0.425/LF, Minimum \$425</u>
<u>4. House Connections</u>	<u>\$425/Connection</u>

- **Special Use and Roadway Occupancy Permits** **\$215**
(Includes dumpsters, cranes, storage container, temporary pedestrian access, and tree planting)

- **Stump and Hazardous Tree Removal** **\$0**
(Includes removal of a roadside tree which has been determined by a licensed tree expert and approved by the Department to immediately endanger a person or property)



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C. Engineered Public Right-of-Way Permits

- Roadway Grading Permit
- Paving Permit
- Storm Drain Permit

1. Fee is 14.65% of the estimated project cost, or \$1,910, whichever is greater.
2. A nonrefundable filing fee of 50% of the estimated project cost, or \$1,910, whichever is greater is required.
3. Must include best available information on project costs when the initial application is submitted.

D. Traffic Management Plans \$2,600

This fee applies to: 1. Maintenance of traffic plans in Central Business Districts; 2. Rights of way 80 feet or greater; 3. Work in any other area that is two weeks or greater in duration; 4. Any site specific non-standard workzone temporary traffic control plans.

E. Minor Record Plats

1. For review and approval of Subdivision Record Plats created per requirements of Chapter 50 Section 35A for Minor Subdivisions.
2. Nonrefundable Filing Fee \$500

F. Permit Revisions

1. Engineered Right-of-Way Permits
 - a. 14.65% of the estimated project revision cost, or \$1,910, whichever is greater.
 - b. An engineered cost estimate, fully detailing estimated project cost, must accompany the revision application.
2. All Other Right of Way Permit Revisions \$150

G. Public Right-of-Way Permit Extensions

1. Road and Right of Way construction permits are valid for a period of 18 months.
2. The fee to extend an Engineered Right of Way Permit is 15% of the bond in place when the extension is requested.
3. The fee to extend all other Right of Way Permits \$150



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19.67.02.02 Sediment Control, Stormwater Management, Special Protection Areas, and Floodplain District

A. General

1. Applications, including applications for revisions, must be accompanied by the permit fee or the minimum filing fee as specified.
2. All remaining fees must be paid within one year after permit issuance or before final inspection, whichever occurs first.
3. All Stormwater Management Concept fees, Floodplain Study fees and Floodplain-District Permit fees must be paid when the application is submitted or before the Department initiates reviews.
4. The fee for a revision to a Sediment Control Permit or a Floodplain District Permit for changes of ownership is the minimum permit fee.
5. The fee for a change-of-legal description or other administrative revision to a Sediment Control Permit or a Floodplain District Permit after permit issuance is 50% of the minimum permit fee for the permit type being revised.
6. All fees noted in this regulation are subject to the Automation Enhancement Fee per Executive Regulation 13-13 (COMCOR 08.24B.02).

B. Stormwater Management Concept or SPA Water Quality Inventory

- | | |
|----------------------------|----------------|
| 1. <u>Fee at Submittal</u> | \$2,765 |
| 2. <u>Fee to Revise</u> | \$1,385 |

C. Site Development SWM Plan Review **\$1,385**

D. Stormwater Concept/Site Development Stormwater Plan Combo **\$2,765**

E. SPA Water Quality Plan Review (Preliminary)

- | | |
|----------------------------|-------------------|
| 1. <u>Fee at Submittal</u> | \$815/Acre |
| 2. <u>Minimum Fee</u> | \$2,765 |
| 3. <u>Maximum Fee</u> | \$16,300 |

F. SPA Water Quality Plan Review (Final) **\$1,385**

G. SPA Water Quality Plan Review (Preliminary & Final)

- | | |
|----------------------------|-------------------|
| 1. <u>Fee at Submittal</u> | \$815/Acre |
| 2. <u>Minimum Fee</u> | \$2,765 |
| 3. <u>Maximum Fee</u> | \$16,300 |



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19.67.02.02 Sediment Control, Stormwater Management, Special Protection Areas, and Floodplain District (Con't)

- H. Other Revisions to Stormwater Concept Plans \$1,385**
- I. Other Revisions to Water Quality Plans \$1,385**
- J. Stream Monitoring \$860/Acre**
 1. Fee must be paid before issuance of the Sediment Control Permit.
 2. The fee will be calculated based on the total acreage of the site as shown on the approved record plat.
 3. All fractions of acreage will be rounded to the nearest whole number.
 4. If the acreage fraction is .5, the next higher whole number will be used.
 5. The Department of Permitting Services collects this fee for the Department of Environmental Protection.
- K. Sediment Control Permits**
 - 1. Engineered Permits**
 - a. Fee is \$.086 per square feet of disturbed area, or \$1,910, whichever is greater.
 - b. A nonrefundable filing fee of 50% of the total permit fee, or \$1,910, whichever is greater, is required when the application is submitted.
 - c. Fee to Revise is \$.086 per square feet of additional disturbed area plus the Minimum fee of \$1,910.
 - 2. Engineered Permits for Single Family Lots**
 - a. Fee at Submittal \$1,910
 - b. Applies to work on one single family lot.
 - c. Does not apply to plans that include work on multiple lots or which include road construction.
 - d. Must be for single family use.
 - e. A Stormwater Concept Submission is not required.
 - 3. Small Land Disturbance Activity Permits**
 - a. Fee at Submittal \$815
 - b. May be used for projects that do not require stormwater management.
 - c. May be used for single family residential lots when the disturbed area is less than 20,000 square feet or for the maintenance of existing stormwater management facilities unless otherwise approved by the Department.



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K. Sediment Control Permits (Con't)

- 4. Forest Harvest Activity Permits \$815
- 5. Stormwater Management As-Built Plans
 - a. Fee at Submittal \$1,910
 - b. Any extension fees will be due when the As-Built Plans are submitted.
- 6. Permit Extensions
 - a. The fee to extend an Engineered Sediment Control permit is 15% of the total permit fee in effect when the extension request is submitted. If an as-built plan has been submitted and approved, the fee is \$210.
 - b. Initial Sediment Control permits are valid for 24 months.
 - c. The fee to extend all other Sediment Control permits \$150

L. Floodplain District Permits

- 1. Fee at Submittal \$900
- 2. One Year Extension Fee \$135

M. Floodplain Studies

- 1. Fee at Submittal \$1,140
- 2. A Floodplain Study may include a dam breach analysis.

19.67.02.03 Individual Water Supply and Sewage Disposal Systems

A. General

- 1. Applications, including applications for revisions, must be accompanied by the permit fee or the minimum filing fee as specified.
- 2. All remaining fees must be paid before any subsequent submission for review or before permit issuance, whichever occurs first.
- 3. Permits are valid for a period of one year.
- 4. Permit fees are not transferable.
- 5. The fee for minor plan revisions is the Minor Plan Review Fee.
- 6. The fee for investigation, review and issuance of a permit to repair an existing sewage-disposal system is the Minor Plan Review Fee.
- 7. All fees noted in this regulation are subject to the Automation Enhancement Fee per Executive Regulation 13-13, COMCOR 08.24B.02, unless otherwise noted.



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19.67.02.03 Individual Water Supply and Sewage Disposal Systems (Con't)

B.	<u>Conventional Percolation Tests Per Lot, Per Visit</u>	\$780
C.	<u>Percolation Tests Per Lot, Per Visit, for Mound Systems</u>	\$1,050
D.	<u>Water Table Level Checks, Per Visit</u>	\$440
E.	<u>Individual Sewage Disposal Permit</u>	\$1,200
F.	<u>Plans Review for Subdivision and Platted Lots and Revisions</u>	\$510/Lot
G.	<u>Minor Plan Review and Environmental Health Survey</u>	\$375
H.	<u>Partial Environmental Health Survey</u>	\$235
I.	<u>Review Repair of Existing Sewage Disposal Systems</u>	\$375
J.	<u>Septage Hauler Permit Inspection (Including Truck Inspection)</u>	\$375
K.	<u>Septage Hauler Permit Inspection (Reciprocal Truck Inspection)</u>	\$235
L.	<u>Permit Extensions</u>	
	1. <u>Fee at Submittal</u>	\$170
	2. <u>Permits are valid for 12 months.</u>	
	3. <u>Upon written request a permit may be extended for an additional six months.</u>	
M.	<u>Well Permits</u>	\$160
	1. <u>Not subject to Automation Enhancement Fee.</u>	



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19.67.02.04 Miscellaneous Fees

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 when the service is requested (revision fee, extension fee, etc.).

- A. Administrative Permit Application Revisions \$70**
- B. Refunds**
 - 1. Filing fees are nonrefundable except in the case of an administrative error.
 - 2. In the case of an abandonment or discontinuance of a project under permit, a refund of up to 50 percent of the fee paid (excluding filing fee) may be granted provided:
 - a. No construction has occurred, and
 - b. A written request for refund is made before the expiration date of the permit.
 - c. Revoked, suspended, or invalid licenses or permits, or permits or licenses in litigation are not eligible for refunds.
- C. Bonding Alterations**

Bonds must be posted for permitted projects under the applicable Code. Fees for alterations to a posted bond are as follows:

 - 1. Fee to replace a Performance Bond, Irrevocable Letter of Credit, Cash Bond or Certificate of Guarantee \$140
 - 2. If the purpose of the replacement is to reduce the amount of the instrument due to partial completion of work, the fee for the partial reduction is \$280
- D. Expedited Plan Reviews**
 - 1. Fee is \$125% of total permit fee.
 - 2. Per County Council Resolution 16-600, Executive Regulation 9-08.



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19.67.02.05 Indexing of Fees to Labor and Operating Cost Changes and to Manage Reserves

The Director of Permitting Services must calculate an enterprise fund stabilization factor (EFSF) each year to be applied to each fee set in or under this regulation on July 1 of each year. The EFSF is the factor by which the fee calculation is adjusted, up or down, to cover DPS labor and operating costs and to manage the DPS reserve policy in accordance with the 2002 Principles of the Fiscal Management of the Permitting Services Fund. The Director must publish the EFSF for each upcoming fiscal year not later than March 15 of the current fiscal year. For any year in which the EFSF will be less than .80 or greater than 1.20, the Department must review its fee rates and functional analysis behind the fee rates to determine if changes need to be made to the fee rates.

19.67.02.06 Severability

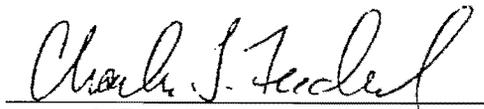
If a court holds that part of this regulation is invalid, the invalidity does not affect other parts.

EFFECTIVE DATE: This regulation becomes effective July 1, 2015


Isiah Leggett, County Executive

5/21/15
Date

Approved as to form and legality:


Office of the County Attorney

21 May 2015
Date



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject: Schedule of Fees for Permits, Licenses and Inspections – METHOD 3	Number: 8-15
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Montgomery County Regulation on:

SCHEDULE OF FEES FOR PERMITS, LICENSES AND INSPECTIONS – METHOD 3

DEPARTMENT OF PERMITTING SERVICES

Issued by: County Executive
Regulation No. 8-15
COMCOR No. 19.67.02

Authority: Montgomery County Code (2004) Sections 49-35, 19-6, 19-17, 19-30, 19-45, 19-67,
27A-5(e)

Supersedes: Regulation No. 15-13

Council Review: Method 3 under Code Section 2A-15

Comment Deadline: April 30, 2015

Effective Date: July 1, 2015

SUMMARY: This Executive regulation simplifies several elements of the Department of Permitting Services fee structure, adjusts fees based upon functional analysis, provides additional flat fees including for utilities, moves payment of the balance of sediment control permit fee from second review to one year after permit issuance for certain sediment control permits and applies a rate stabilization factor to address revenue volatility and avoid excess reserves. This Executive Regulation supersedes Executive Regulation 15-13 in its entirety.

STAFF CONTACT: Rick Brush, Chief
Division of Land Development
240-777-6343

Linda Kobylski, Manager
Division of Land Development
240-777-6346

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



MONTGOMERY COUNTY EXECUTIVE REGULATION

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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 3 Regulations and by Council resolution. The Department of Permitting Services is funded through its collection of fees. In Fiscal 2015 the Department of Permitting Services engaged in a comprehensive study of its fee structure. As a result of this study, certain recommendations were made including to simplify several elements of its fee structure, adjust fees based upon functional analysis, provide additional flat fees, move payment of balance of permit fee from second review to one year after permit issuance for certain sediment control permits and apply a rate stabilization factor to address revenue volatility and avoid excess reserves.

COMCOR 19.67.02 Schedule of Fees for Permits Licenses and Inspections – Method 3

19.67.02.01 Road And Right-Of-Way Construction

All roadway-construction projects, or any construction activity within the boundaries of a dedicated public right-of-way; including roads, sidewalks/bikeways, curbs, gutters, and drainage systems; require a permit and will be charged a fee by the Department of Permitting Services.

A. General

1. Applications, including applications for revisions, must be accompanied by the permit fee or the filing fee as specified.
2. All remaining fees must be paid before permit issuance.
3. The estimated project cost is determined by the Director of the Department of Permitting Services based on average costs submitted on recent County capital-improvement project bids for comparable work or a current professionally prepared cost estimate for the average costs of such work. Information regarding estimation of construction costs can be found at this link:
<http://permittingservices.montgomerycountymd.gov/DPS/bond/BondsEstimate.aspx>
4. Where a maintenance of traffic or traffic control plan is required, a permit must be obtained for activity in the right-of-way and the permit fee must be paid before permit issuance.
5. The minor plat fee must be paid before Department approval.
6. The fee for a revision to an Engineered Public Right-of-Way Permit for changes of ownership is the minimum permit fee.
7. The fee for a change of legal description or other administrative revision to a Right of Way Permit after permit issuance is 50% of the minimum permit fee.
8. All fees noted in this regulation are subject to the Automation Enhancement Fee per Executive Regulation 13-13 (COMCOR 08.24B.02).



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Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: July 1, 2015

B. Work in Public Right-of-Way Permits

- **Driveway Permits**
 1. Fee is 14.65% of the estimated project cost.
 2. A nonrefundable filing fee of \$150 is required.

- **Utility Permits**

1. Under Roadway Work	\$0.775/LF, Minimum \$775
2. Above Roadway Work (minimal or no trenching)	\$0.425/LF, Minimum \$425
3. Aerial Work	\$0.425/LF, Minimum \$425
4. House Connection	\$425/Connection

- **Special Use and Roadway Occupancy Permits** **\$215**
 (Includes dumpsters, cranes, storage container, temporary pedestrian access, and tree planting)

- **Stump and Hazardous Tree Removal** **\$0**
 (Includes removal of a roadside tree which has been determined by a licensed tree expert and approved by the Department to immediately endanger a person or property)

C. Engineered Public Right-of-Way Permits

- Roadway Grading Permit
- Paving Permit
- Storm Drain Permit

1. Fee is 14.65% of the estimated project cost, or \$1,910, whichever is greater.
2. A nonrefundable filing fee of 50% of the estimated project cost, or \$1,910, whichever is greater is required.
3. Must include best available information on project costs when the initial application is submitted.

D. Traffic Management Plans **\$2,600**

This fee applies to: 1. Maintenance of traffic plans in Central Business Districts; 2. Rights of way 80 feet or greater; 3. Work in any other area that is two weeks or greater in duration; 4. Any site specific non-standard workzone temporary traffic control plans.



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19.67.02.01 Road And Right-Of-Way Construction (Con't)

E. Minor Record Plats

1. For review and approval of Subdivision Record Plats created per requirements of Chapter 50 Section 35A for Minor Subdivisions.
2. Nonrefundable Filing Fee \$500

F. Permit Revisions

1. Engineered Right-of-Way Permits
 - a. 14.65% of the estimated project revision cost, or \$1,910, whichever is greater.
 - b. An engineered cost estimate, fully detailing estimated project cost, must accompany the revision application.
2. All Other Right of Way Permit Revisions \$150

G. Public Right-of-Way Permit Extensions

1. Road and Right of Way construction permits are valid for a period of 18 months.
2. The fee to extend an Engineered Right of Way Permit is 15% of the bond in place when the extension is requested.
3. The fee to extend all other Right of Way Permits \$150

19.67.02.02 Sediment Control, Stormwater Management, Special Protection Areas, and Floodplain District

A. General

1. Applications, including applications for revisions, must be accompanied by the permit fee or the minimum filing fee as specified.
2. All remaining fees must be paid within one year after permit issuance or before final inspection, whichever occurs first.
3. All Stormwater Management Concept fees, Floodplain Study fees and Floodplain-District Permit fees must be paid when the application is submitted or before the Department initiates reviews.
4. The fee for a revision to a Sediment Control Permit or a Floodplain District Permit for changes of ownership is the minimum permit fee.
5. The fee for a change-of-legal description or other administrative revision to a Sediment Control Permit or a Floodplain District Permit after permit issuance is 50% of the minimum permit fee for the permit type being revised.
6. All fees noted in this regulation are subject to the Automation Enhancement Fee per Executive Regulation 13-13 (COMCOR 08.24B.02),



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19.67.02.02 Sediment Control, Stormwater Management, Special Protection Areas, and Floodplain District (Con't)	
B. Stormwater Management Concept or SPA Water Quality Inventory	
1. Fee at Submittal	\$2,765
2. Fee to Revise	\$1,385
C. Site Development SWM Plan Review	\$1,385
D. Stormwater Concept/Site Development Stormwater Plan Combo	\$2,765
E. SPA Water Quality Plan Review (Preliminary)	
1. Fee at Submittal	\$815/Acre
2. Minimum Fee	\$2,765
3. Maximum Fee	\$16,300
F. SPA Water Quality Plan Review (Final)	\$1,385
G. SPA Water Quality Plan Review (Preliminary & Final)	
1. Fee at Submittal	\$815/Acre
2. Minimum Fee	\$2,765
3. Maximum Fee	\$16,300
H. Other Revisions to Stormwater Concept Plans	\$1,385
I. Other Revisions to Water Quality Plans	\$1,385
J. Stream Monitoring	\$860/Acre
1. Fee must be paid before issuance of the Sediment Control Permit.	
2. The fee will be calculated based on the total acreage of the site as shown on the approved record plat.	
3. All fractions of acreage will be rounded to the nearest whole number.	
4. If the acreage fraction is .5, the next higher whole number will be used.	
5. The Department of Permitting Services collects this fee for the Department of Environmental Protection.	



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19.67.02.02 Sediment Control, Stormwater Management, Special Protection Areas, and Floodplain District (Con't)

K. Sediment Control Permits

1. Engineered Permits

- a. Fee is **\$.086** per square feet of disturbed area, or **\$1,910**, whichever is greater.
- b. A nonrefundable filing fee of **50%** of the total permit fee, or **\$1,910**, whichever is greater, is required when the application is submitted.
- c. Fee to Revise is **\$.086** per square feet of additional disturbed area plus the **Minimum fee of \$1,910**.

2. Engineered Permits for Single Family Lots

- a. Fee at Submittal **\$1,910**
- b. Applies to work on one single family lot.
- c. Does not apply to plans that include work on multiple lots or which include road construction.
- d. Must be for single family use.
- e. A Stormwater Concept Submission is not required.

3. Small Land Disturbance Activity Permits

- a. Fee at Submittal **\$815**
- b. May be used for projects that do not require stormwater management.
- c. May be used for single family residential lots when the disturbed area is less than 20,000 square feet or for the maintenance of existing stormwater management facilities unless otherwise approved by the Department.

4. Forest Harvest Activity Permits

\$815

5. Stormwater Management As-Built Plans

- a. Fee at Submittal **\$1,910**
- b. Any extension fees will be due when the As-Built Plans are submitted.

6. Permit Extensions

- a. The fee to extend an Engineered Sediment Control permit is **15%** of the total permit fee in effect when the extension request is submitted. If an As-Built plan has been submitted and approved, the fee is **\$210**.
- b. Initial Sediment Control permits are valid for 24 months.
- c. The fee to extend all other Sediment Control permits **\$150**



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19.67.02.02 Sediment Control, Stormwater Management, Special Protection Areas, and Floodplain District (Con't)	
L. Floodplain District Permits	
1. Fee at Submittal	\$900
2. One Year Extension Fee	\$135
M. Floodplain Studies	
1. Fee at Submittal	\$1,140
2. A Floodplain Study may include a dam breach analysis.	
19.67.02.03 Individual Water Supply and Sewage Disposal Systems	
A. General	
1. Applications, including applications for revisions, must be accompanied by the permit fee or the minimum filing fee as specified.	
2. All remaining fees must be paid before any subsequent submission for review or before permit issuance, whichever occurs first.	
3. Permits are valid for a period of one year.	
4. Permit fees are not transferable.	
5. The fee for minor plan revisions is the Minor Plan Review Fee.	
6. The fee for investigation, review and issuance of a permit to repair an existing sewage-disposal system is the Minor Plan Review Fee.	
7. All fees noted in this regulation are subject to the Automation Enhancement Fee per Executive Regulation 13-13, COMCOR 08.24B.02, unless otherwise noted.	
B. Conventional Percolation Tests Per Lot, Per Visit	\$780
C. Percolation Tests Per Lot, Per Visit, for Mound Systems	\$1,050
D. Water Table Level Checks, Per Visit	\$440
E. Individual Sewage Disposal Permit	\$1,200
F. Plans Review for Subdivision and Platted Lots and Revisions	\$510/Lot
G. Minor Plan Review and Environmental Health Survey	\$375
H. Partial Environmental Health Survey	\$235



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19.67.02.03 Individual Water Supply and Sewage Disposal Systems (Con't)

- I. **Review Repair of Existing Sewage Disposal Systems** **\$375**
- J. **Septage Hauler Permit Inspection (Including Truck Inspection)** **\$375**
- K. **Septage Hauler Permit Inspection (Reciprocal Truck Inspection)** **\$235**
- L. **Permit Extensions**
 - 1. Fee at Submittal **\$170**
 - 2. Permits are valid for 12 months.
 - 3. Upon written request a permit may be extended for an additional six months.
- M. **Well Permits** **\$160**
 - 1. Not subject to Automation Enhancement Fee.

19.67.02.04 Miscellaneous Fees

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 when the service is requested (revision fee, extension fee, etc.).

- A. **Administrative Permit Application Revisions** **\$70**
- B. **Refunds**
 - 1. Filing fees are nonrefundable except in the case of an administrative error.
 - 2. In the case of an abandonment or discontinuance of a project under permit, a refund of up to **50 percent** of the fee paid (**excluding filing fee**) may be granted provided:
 - a. No construction has occurred, and
 - b. A written request for refund is made before the expiration date of the permit.
 - c. Revoked, suspended, or invalid licenses or permits, or permits or licenses in litigation are not eligible for refunds.



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19.67.02.04 Miscellaneous Fees (Con't)

C. Bonding Alterations

Bonds must be posted for permitted projects under the applicable Code.
Fees for alterations to a posted bond are as follows:

1. Fee to replace a Performance Bond, Irrevocable Letter of Credit, Cash Bond or Certificate of Guarantee **\$140**
2. If the purpose of the replacement is to reduce the amount of the instrument due to partial completion of work, the fee for the partial reduction is **\$280**

D. Expedited Plan Reviews

1. Fee is **\$125%** of total permit fee.
2. Per County Council Resolution 16-600, Executive Regulation 9-08.

19.67.02.05 Indexing of Fees to Labor and Operating Cost Changes and to Manage Reserves

The Director of Permitting Services must calculate an enterprise fund stabilization factor (EFSF) each year to be applied to each fee set in or under this regulation on July 1 of each year. The EFSF is the factor by which the fee calculation is adjusted, up or down, to cover DPS labor and operating costs and to manage the DPS reserve policy in accordance with the 2002 Principles of the Fiscal Management of the Permitting Services Fund. The Director must publish the EFSF for each upcoming fiscal year not later than March 15 of the current fiscal year. For any year in which the EFSF will be less than .80 or greater than 1.20, the Department must review its fee rates and functional analysis behind the fee rates to determine if changes need to be made to the fee rates.



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19.67.02.06 Severability

If a court holds that part of this regulation is invalid, the invalidity does not affect other parts.

EFFECTIVE DATE: This regulation becomes effective July 1, 2015



 Isiah Leggett, County Executive

5/21/15

 Date

Approved as to form and legality:



 Office of the County Attorney

21 May 2015

 Date



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

June 3, 2015

TO: George Leventhal, President, Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Executive Regulation 9-15AM, Schedule of Fees for Permits, Licenses and Certifications – Method 2

Attached please find Executive Regulation 9-15AM. This regulation amends proposed Executive Regulation 9-15 which was transmitted to the County Council on May 22, 2015. Following further discussions with construction industry representatives the regulation has been amended to reflect a ramp up in the rate for larger single family homes construction so that a reduced rate is effective in Fiscal Year 2016 and the full rate applies in Fiscal Year 2017. The regulation also reflects a two-tiered rate for high rise commercial construction. If you have any questions, you may contact Gail Lucas in the Department of Permitting Services, at 240-372-2974.

Attachments

Summary of Comments on Proposed Department of Permitting Services Executive Regulation 9-15

Commenter	Comment	Response
Woodfield Investments/Margaret Smith Ford	Supports -- <ul style="list-style-type: none"> • Fully supports the proposed changes to the DPS fee structure. • DPS did a very thorough job, through the outside consultant, of reviewing the current structure and making recommendations. • The proposed structure would be more equitable, more business-friendly, and more consistent with surrounding jurisdictions. 	
Maryland Building Industry Association	Generally supports -- <ul style="list-style-type: none"> • The proposed fee structure is a dramatic improvement over the existing fee structure both in simplicity and fairness and will send a positive economic development message to new homebuyers, businesses, the building community and our global investors. • Supports the alignment of the permit fees to the actual costs associated with government action 	<ul style="list-style-type: none"> • Permit fees have been the same for the past 7 years • Fee structure is based on functional analysis. • The costs of servicing residential building permits is \$6.2 Million. Past revenues have historically recovered only between \$3-4 Million. • Approximately ½ of the detached residential structures are in the MNCPPC zone. Of those under 3500sf, fees will be less than under the current rate structure. • The difference in fee for very large new homes will be a very small percentage of the sale price (based on analysis an estimate of .0012-.0031%)

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Commenter	Comment	Response
	<ul style="list-style-type: none">• asks that the single family detached fee structure for "in-fill" homes to remain unchanged.	
EYA/Greg Shron	<p>Generally supports –</p> <ul style="list-style-type: none">• New structure is much simpler.• It's more consistent and significantly more equitable than what we're working under currently.• Concerned about the 15% extension fee for application and permit. For example, 16 ft. wide, four story townhouse the extension fee would be \$420 (which seems reasonable). For a 300,000 sq. ft. MFD, however, the extension fee would be \$93,000.• Does not believe extending applications or permits places that much burden on DPS to warrant this kind of fee.	<ul style="list-style-type: none">• For building permits, residential construction can generally be completed within 6 to 18 months and commercial construction can generally be completed within 12 -24 months. County law allows permits under <i>active</i> construction to be extended in 6-month increments for no cost.• Extension fees only apply to building permits that have been inactive for 6 months or longer.• DPS must service during original term and the extended term.• The permit fees are based on a functional analysis and current costs.• Permits that need to be extended need to cover the then current costs of those services. The FY16 budget is the base year for setting the rate. Costs increase year over year. For example typically staff costs go up due to cost of living adjustments and merit increases (an estimated annual 3.5% and 3.25%) each year. Rent and pass-throughs increase each year with the 2 recent years totaling a 14.8% increase. DPS costs of services provided to it also increase based on increases in the costs of those services year over year. DPS believes that 15% is a reasonable amount.
Several individuals/businesses: John Eaton III, Barrons Lumber Mike Rubinfeld, Mid-Atlantic Custom Builders, LLC Thomas Gilday Brian Downie, Saul Centers Daniel Murtaugh	<ul style="list-style-type: none">• "Small" Custom Home Builders pay more/Large homebuilders and commercial builders pay less• Remodeling (interior alteration) permit fee too high (triple the current fee)	<ul style="list-style-type: none">• Rates are established based on functional analysis and permit volumes data related to permit types and cost centers for those permits.• The difference in fee for very large new homes will be a very small percentage of the sale price (based on analysis an estimate of .0012-.0031%)• DPS very much supports businesses and needs to be able to ensure that it has available staff to process permits, inspect construction,

Commenter	Comment	Response
Shelly Call, Butler Tree Service LLC Ralph Mollet, M&M Builders and Contractors, LLC Richard Sullivan, Jr., R&R Custom Homes Dave Crawford	<ul style="list-style-type: none"> • DPS Anti-Business • DPS Surplus should be used to reduce overall fees not raise them 	<ul style="list-style-type: none"> • support the development review process and respond to requests for information and handle construction-related complaints. • Prior balance has been earmarked for Wheaton move and rates are structured without any amount for reserves, carrying forward the existing 20% reserve.
Laurence Cafritz, Custom Builders Council of MBIA	Opposes – <ul style="list-style-type: none"> • Same comments as above • The purpose of the DPS Enterprise Fund Reserve is not being honored. Purpose of reserve is to avoid large annual increases • DPS has a \$45M surplus • Custom Builders provides enormous value and increased income to MC and should be recognized • All permit fees should be going down across the board, not up 	<ul style="list-style-type: none"> • See prior response • The DPS reserve policy was determined by a task force consisting of representatives from DPS, the County Council, the Office of Legislative Oversight and the Office of Management and Budget. The policy has several goals including protecting the health of the fund; providing adequate liquidity for daily operations and unanticipated needs; to be fully self-supporting, and to cover all operations in the event of unanticipated revenue losses or extraordinary expenditure increases. Fees are to be set after factoring these above principles with a goal to avoid significant annual changes. Fund balance has been reserved in anticipation of a looming extraordinary expense. Further fees have not increased in 8 years, although they have been reduced. The fee rate has been set to avoid accumulating reserves and to reflect actual costs of operations consistent with the reserve policy. • Prior budget decisions have allocated resources to DPS expenses for the Wheaton Building. The projected year end fund balance for FY15 is \$12.6 Million which is at the reserve policy amount of 20%. • Again, the rates are based upon budgeted expenses.
Mark Giarraputo, Studio Z Design Concepts, LLC	Opposes – <ul style="list-style-type: none"> • Plan reviews take too long/ new fees don't go to make DPS lean and efficient • DPS enacted "tree bill" that is costing builders thousand • DPS building fees coupled with storm water management, civil 	<ul style="list-style-type: none"> • Review time in recent years has gone <i>down</i> year over year. • Consultants at p. 4 of the Comprehensive Fee Study found “the work we did enabled us to see some indicators that the Permitting department is running efficiently at an appropriate value for its customers.” The study noted that a typical fully loaded hourly service rate for a permitting agency is around \$150/hour for an urban area and that the DPS fully loaded hourly rate is \$115.72, including indirect costs, which is “well within the range [they] would expect as a departmental average.” DPS’s move to electronic plans and permits

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Commenter	Comment	Response
	<p>engineering fees and stormwater structures add thousands to the cost of homes.</p>	<p>was also called out as an efficiency process improvement.</p> <ul style="list-style-type: none"> • DPS administers the roadside tree law, but did not enact.
Carter Wilson, Carter, Inc	<ul style="list-style-type: none"> • Perform another fee study w/MBIA input • Apply proposed fees to building activity in 2014 to "test" to see if they create another surplus • Leave Fee structure "as is" and reduce the most egregious fees and leave other fees at the same level of payment 	<ul style="list-style-type: none"> • Before beginning the study MBIA gave DPS a paper with what it wanted looked at in the fee study. DPS shared the position paper with the consultants along with numerous emails from MBIA relating to concerns about current fee structure • Study is based upon functional analysis of how each DPS employee spends time and volumes of permits based on permit types and history • The proposed rates are based on the FY14 volumes and revenue projections on that basis indicated that building permit revenues are projected to be \$4.6 million <i>less</i> for FY16 than for FY14, assuming the same volume and types of permits in FY16.
<p>34</p> <p>Stacy Silber, NAIOP Leadership Committee</p>	<ul style="list-style-type: none"> • Fee study report not posted until well into the comment period; not enough time to study it • No mention of process efficiencies that relates to the number of DPS employees • No reason to increase fees with reserve balance so high • Questions whether relocation costs are appropriate use of reserve funds • Create an IT capital reserve; 5% AEF should be used ONLY to improve IT infrastructure; not ordinary 	<ul style="list-style-type: none"> • The preliminary results of the study were shared in 3 separate public meetings on February 3rd and 4th conducted by Fiscal Choice Consulting, LLC explaining their findings. A follow-on public meeting was held by DPS on March 26, 2015. Fee study results were shared and discussed at meetings with various customer groups as well, including NAIOP. • Consultants at p. 4 of the Comprehensive Fee Study found "the work we did enabled us to see some indicators that the Permitting department is running efficiently at an appropriate value for its customers." The study noted that a typical fully loaded hourly service rate for a permitting agency is around \$150/hour for an urban area and that the DPS fully loaded hourly rate is \$115.72, including indirect costs, which is "well within the range [they] would expect as a departmental average." DPS's move to electronic plans and permits was also called out as an efficiency process improvement. See <u>Attachment 1</u> for volumes and staffing complement. Need to turn around. • Proposed fees are structured to avoid accumulating reserves. Revenue projections assumed FY14 volumes and project a \$4.6

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Commenter	Comment	Response
	<p>IT maintenance and expenses</p> <ul style="list-style-type: none">• Misalignment of services with business needs; lack of strong relationship between services rendered and labor expense burdens the permit fees.• NAIOP notes only one year with a true shortfall, 2009. Current fee approach only addresses revenue side and should address personnel as well.• There should be a reasonable correlation between cost of providing service and the fee; correlation absent here. Fees become more of a tax.• Proposed regulation disproportionately burdens midsize and large commercial/mixed use project and related sustainable development.• Eliminate Parking structures from fees• Cap square footage• Exclude MPDU construction costs/square footage from calculations	<p>million reduction in building permit revenues assuming the same volume and types of permits in FY16. Structure is based on functional analysis and fairly distributes costs to users of services.</p> <ul style="list-style-type: none">• IT fees were reduced by 50% two years ago. They do not cover IT expenses.• The fee is entirely based on DPS operating expenses, most of which is labor costs. Expenses have been grouped based on the type of work performed. Fees are structured based upon a functional analysis of employees and work performed.• Policy is to generate revenues that cover all DPS expenses and provide a reserve of approximately 20%. There were revenue shortfalls in FY09, FY10 and FY11. In FYs 07 and 08 revenues did not cover the reserve policy. See <u>Attachment 2</u>.• For most midsize and commercial mixed use projects, the fees will be reduced. Very large projects often involve different types of construction and multiple permits for which fees are calculated. Overall commercial fees will be meaningfully reduced.• Parking structures are very complex from a design and construction standpoint as well as development review and site plan. Sheeting and shoring is extremely complex and construction problems are not uncommon in the excavation, sheeting and shoring and construction of garages. There is no basis to eliminate parking structures from fees. Furthermore, fee rates are structured based on expenses and garages, like other construction needs to cover expenses.• To a large extent commercial permit fees will be reduced which will include for MPDUs in multi-family structures. Furthermore, MPDUs do not pay impact taxes or development fees and in high rises can account for additional height allowances and density awards which help to offset costs.

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Commenter	Comment	Response
S. Robert Kaufman, MBIA	<ul style="list-style-type: none">• Retain current SFD building rates• Use 3 year running average of revenues to project future fees and provide an annual re-adjustment limited by "floor" and "ceiling"	<ul style="list-style-type: none">• DPS costs for handling of residential permit work is \$6,295,818. Current rates, based on FY14 volumes generated only \$3,951,753 leaving a shortfall of \$2,344,065.• Revenue projecting is very imprecise as there are many factors outside of DPS control that impact work volumes. OMB has developed a methodology that looks at revenues over time to project for future years.• DPS is including a floor and ceiling that would trigger a review of rate structure.
David Merrick	<ul style="list-style-type: none">• 2 types of additions -- those that are greater than 400sf and those that are less than 400sf. Drainage reviews are not required for smaller than 400sf and should entail less work. Fee is increased 600%. What has been done to reduce costs?• Don't need to require permits for bathroom remodeling or kitchen remodeling. There is nothing to look at for this work. 400 sf project will go from \$190/ sf to \$700/sf and a bathroom will go from \$190 to \$265 for mostly cosmetic work.	<ul style="list-style-type: none">• Proposed fees are calculated to recover the costs of processing, reviewing, and inspecting the permitted work. They are averages for certain types of construction and it would be impractical to accommodate all possible construction scenarios. Fees have not increased 600%.• Consultants at p. 4 of the Comprehensive Fee Study found "the work we did enabled us to see some indicators that the Permitting department is running efficiently at an appropriate value for its customers." The study noted that a typical fully loaded hourly service rate for a permitting agency is around \$150/hour for an urban area and that the DPS fully loaded hourly rate is \$115.72, including indirect costs, which is "well within the range [they] would expect as a departmental average." DPS's move to electronic plans and permits was also called out as an efficiency process improvement.• All alterations, including extension of mechanical, plumbing, sometimes electrical systems require building permits to ensure the safety of the homeowners. The filing fee for additions will be changed to 50% of building permit fee or \$265 whichever is greater.
Miller and Smith/Bob Spalding	<ul style="list-style-type: none">• \$0.71 per square foot increases our permit fees by 48% (\$640) from \$1,347 to \$1,987 for the townhomes	<ul style="list-style-type: none">• The example given does not have specifics and appears to include charges that are not DPS fees. DPS reviewed several permits for recent projects constructed by the commenter that include 4-story townhomes (an increasingly popular model type). Without being

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Commenter	Comment	Response
	<p>we are building in Clarksburg Town Center.</p> <ul style="list-style-type: none">• Our single family detached home fees in Clarksburg Town Center would decrease by 8% from \$3,657 to \$3,379.• Recommendation: Reduce the per square foot charge for townhomes building permits to \$0.55 per square foot so the overall fee for an 1,800 square foot townhome does not increase.• The proposed regulation doubles the plan revision fee from \$.3535 to \$0.71 per square foot and makes it equal to the fee for a stand-alone permit for new construction. Reviewing discrete changes within an approved set of plans should be less expensive than for the review of a stand-alone plan. <p>Section 8.14.02.09 C. – Refunds – The Impact Tax regulations contains a fair provision that refunds may be issued in the case of administrative error. If an applicant is mistakenly charged (and pays)</p>	<p>comprehensive, numerous of the issued permits over the past 3 years will see fees <i>reduced</i> by at least 50%: some examples:</p> <ul style="list-style-type: none">○ Fee paid \$5787.79; new fee would be \$2,245.53○ Fee paid \$4852.29; new fee would be \$1882.58;○ Fee paid for an MPDU \$3928.76; new fee would be \$1,849.26;○ Fee paid \$5902; new fee would be \$2245.53. <ul style="list-style-type: none">• The reduced rate proposed is not supported by the functional analysis. Based on a review of townhouse data, DPS has modified townhouse rates to be flat fees as is the current structure. The rate for townhouses is proposed as \$1400 and \$1000 for mpdu townhouses (this is a reduction from the current rate for mpdus are generally smaller).• Plan revisions occur after permits have been issued. The revision fee is not equal to the fee for a stand-alone permit. It is at the same rate, but is limited to what the area is that is being changed. The revisions must be processed, reviewed and inspected.• We agree with the recommendation to allow for refunds due to administrative error.

Commenter	Comment	Response
	<p>the wrong fee, it should be corrected.</p> <ul style="list-style-type: none"><li data-bbox="604 331 953 545">• Recommendation: Add a new last sentence: "In the case of an administrative error, the amount of refund shall be the amount necessary to correct the error."	

Attachment 1

Fiscal Year	Estimated aggregate sf processed	Total Permits processed	Customers At Counters	Information Requests	Plans reviews	Inspections	DPS Staff complement
2006	28.9 msf	48,419	56,364	2884	67,028	135,610	191.3
2007	23.7 msf	43,117	55,988	2497	63,816	114,692	215.5
2008	27.6 msf	43,048	58,984	2519	65,491	113,793	213.9
2009	14.9 msf	37,566	55,291	2290	54,477	103,974	220
2010	17.3 msf	46,314	55,974	2272	64,046	102,889	226
2011	23.7 msf	46,481	60,422	2958	70,656	102,730	182
2012	27.8 msf	45,649	59,047	3260	76,268	113,888	182
2013	26.04 msf	50,744	66,600	4376	84,728	141,443	192 – added fire inspections
2014	<u>25.7 msf</u>	<u>52,826</u>	<u>94,272¹</u>	<u>4374</u>	<u>88,317</u>	<u>158,837</u>	<u>195</u>

¹ DPS has several counters at which customers are served. Customers may be served at multiple counters in FY2014, DPS opened a new fee payment counter to implement audit recommendations for best practices for handling of financial instruments.

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Attachment 2
Fund Balance Volatility

FY14	\$33,777,188	Reserve target: \$8,652,873	Short/over: \$25,124,315
FY13	\$22,345,551	Reserve target \$8,752,992	Short/over: \$13,592,559
FY12	\$8,023,419	Reserve target \$7,983,158	Short/over: \$ 40,261
FY11	-\$5,184,035	Reserve target \$5,877,655	Short/over: -\$11,061,689
FY10	-\$7,257,436	Reserve target \$5,344,040	Short/over: -\$12,601,476
FY09	-4,333,817	Reserve target \$4,413,081	Short/over: -\$ 8,746,898
FY08	3,047,178	Reserve target \$5,576,841	Short/over: -\$ 2,529,663
FY07	2,877,814	Reserve target \$5,027,744	Short/over: -\$ 2,149,930

Over the 8 year time frame total overages (\$38.7 million) and shorts (\$37.1 million) roughly equate (4% differential)

4



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	Number: 9-15AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: July 1, 2015

Montgomery County Regulation on:

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

DEPARTMENT OF PERMITTING SERVICES

Issued by: County Executive
Regulation No. 9-15AM
COMCOR No. 08.14.01

Authority: Montgomery County Code (2004) Sections 8-13, 8-14, 8-24B, 8-25, 8-28, 17-2, 17-10, 17-20, 17-25, 17-27, 27A-5(E), 22-10, 22-13, 30-2, 30-4, 47-2, 47-3, 47-4

Supersedes: Regulation No. 14-13 Schedule of Fees for Permits, License and Certifications

Council review: Method 2 under Code Section 2A-15
Register Vol. 32, Issue 4

Comment Deadline: April 30, 2015
Effective Date: July 1, 2015
Sunset Date: None

SUMMARY: This regulation eliminates the Maryland National Capital Park and Planning Commission (MNCPPC) surcharge, replaces multiple construction-type based fee rates with a per square foot construction rate, or flat fees and eliminates the Fire Code Building Permit Inspection Fees. This regulation includes Building Permit fees for electric vehicle charging stations and rooftop solar photovoltaic systems for single family dwellings as required by Bill 11-14 Buildings – Electrical Vehicle Charging Station Permits – Expedited Review and Bill 1-14 Buildings – Solar Permits – Expedited Review both of which were effective July 31, 2014. The fees for Benefit Performance Licenses and the fee for Storage of Vendor-Confiscated Goods have been moved to this regulation from Executive Regulation 15-13 Schedule of Fees for Permits, Licenses and Inspection – Method 3 (COMCOR No. 19.67.02). This regulation supersedes Executive Regulation 14-13 in its entirety.

STAFF CONTACT: Hadi Mansouri, Chief Operating Officer
Department of Permitting Services
240-777-6233



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	Number: 9-15AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: July 1, 2015

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

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. In Fiscal 2015 the Department of Permitting Services engaged in a comprehensive study of its fee structure. As a result of this study, certain recommendations were made to simplify several elements of its fee structure, including eliminate the Maryland National Capital Park and Planning Commission (MNCPPC) surcharge, adjust fees based upon functional analysis, replace multiple construction-type based fee rates with a per square foot construction rate, or flat fees and apply a rate stabilization factor to address revenue volatility and avoid excess reserve. For residential and commercial new construction, additions and residential alterations, fees are calculated on gross square footage of construction or area impacted by construction. For commercial alterations, the fee is calculated using cost of construction multiplied by a local multiplier. This regulation also establishes flat fees for routine residential and commercial building permits. The Fire Code Building Permit Inspection Fees have been eliminated. This regulation includes Building Permit fees for electric vehicle charging stations and rooftop solar photovoltaic systems for single family dwellings as required by Bill 11-14 Buildings – Electrical Vehicle Charging Station Permits – Expedited Review and Bill 1-14 Buildings – Solar Permits – Expedited Review both of which were effective July 31, 2014. The fees for Benefit Performance Licenses and the fee for Storage of Vendor-Confiscated Goods have been moved to this regulation from Executive Regulation 15-13 Schedule of Fees for Permits, Licenses and Inspection – Method 3 (COMCOR No. 19.67.02).

[08.14.01.01. 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.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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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

- 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



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	Number: 9-15AM
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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 \$120
(Includes but is not limited to sheds, garages and gazebos)
14. Accessory buildings more than 200 SF: \$0.3535 per SF \$310
with minimum fee of
15. Plan Revision: \$0.3535 per SF of revised area or the application 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.



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

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- 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.
- c. Mid-rise residential buildings.
 - i. For mid-rise residential buildings only, if the calculated cost of construction is equal to or less than \$4,500,000 the permit fee is the cost of construction multiplied by the local permit-fee multiplier \$0.0301.
 - ii. For mid-rise residential buildings only, if the calculated cost of construction is greater than \$4,500,000 the permit fee is the sum of the fee in 2(c)(i) PLUS the cost of construction of excess amount over \$4,500,000 (to a maximum \$50,000,000) multiplied by \$0.003. MPDU units are excluded from this additional calculation.
 - iii. *Mid-rise residential building* means a structure of Type V construction as classified in IBC and which is limited to the number of stories and area permitted under IBC Table 503.
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 cost of construction multiplied by the local permit-fee multiplier \$0.0301.



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	Number: 9-15AM
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b. If the cost of construction is greater than \$8,000,000 the permit fee is the sum of the fee in 3(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.

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

6. Use and Occupancy – Fire Code Building Permit Inspection - see Section V. Fire Code Building Permit Inspection Fees

G. Mechanical Permit



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	Number: 9-15AM
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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
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 - 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
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 - c. Fuel tanks:

Each 500 water gallons	\$ 52
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 - d. Expansion tanks:

Each 50 water gallons	\$ 52
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 - e. Pre-fabricated fireplace (includes wood stoves)

Each firebox	\$ 26
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 - f. Pre-fabricated chimney

Each chimney	\$ 14
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4. Consultation inspection (per hour or fraction) \$135



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	Number: 9-15AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: July 1, 2015

08.14.01.02. 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
 - a. One- and two-family-detached dwelling unit per dwelling unit: \$738
 - b. One- and two-family-attached dwelling unit per dwelling unit \$340



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

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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: \$0.2209 per SF of the construction area	
6. Additions – one and two family detached \$0.3092 per SF of the construction area	
7. Additions – one and two family attached \$0.2209 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, 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.	



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

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Originating Department: DEPARTMENT OF PERMITTING SERVICES

Effective Date: July 1, 2015

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 excess amount over \$8,000,000 (to a maximum \$50,000,000) multiplied by \$0.003. MPDU units are excluded from this additional calculation.
- c. Mid-rise residential buildings.
 - i. For mid-rise residential buildings only, if the calculated cost of construction is equal to or less than \$4,500,000 the permit fee is the cost of construction multiplied by the local permit-fee multiplier \$0.0188.
 - ii. For mid-rise residential building only, if the calculated cost of construction is greater than \$4,500,000 the permit fee is the sum of the fee in 2(c)(i) PLUS the cost of construction of excess amount over \$4,500,000 (to a maximum \$50,000,000 multiplied by \$0.003. MPDU units are excluded from this additional calculation.
 - iii. *Mid-rise residential building* means a structure of Type V construction as classified in IBC and which is limited to the number of stories and area permitted under IBC Table 503.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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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 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 3(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.

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



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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
6. Use and Occupancy – Fire Code Building Permit Inspection – see Section V. Fire Code Building Permit Inspection Fees

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



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

08.14.01.03 Electrical Permit And License Fees

A. General

- 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.
- 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.
- 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

- Air conditioners: Apply the motor schedule (see item 18.)
- Appliances, small* \$ 9 each
* Such as air filters, automatic-vent ampers, clothes washers or dryers, cooking appliances (stoves, ranges, built-ins), dishwashers, disposals, fans, (exhaust, attic), humidifiers, sump pumps, trash compactors, water



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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 |
| From 301 to 400 Amps | \$ 1,055 |
| For services over 400 Amps: | \$ 1,055 |
| plus \$140 for each additional 100 Amps or fraction | |
| 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 |



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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
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);	



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For each dwelling unit (Common areas such as stairwells, laundry, and storage rooms are charged as individual units for each panel or sub panel required.)	\$ 230
24. Existing multi-family buildings (apartments, condominium dwelling units); For each dwelling unit (Common areas such as stairwells, laundry, and storage rooms are charged as individual units for each panel or sub panel required.)	\$ 150
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:	
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	



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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
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
 08.14.01.04 Fire-Code-Plan-Review Fees	
A. General	



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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

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 |



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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.

08.14.01.05 Fire-Code Building Permit Inspection Fees

The base fee for fire protection system inspection is \$60.00. The base fee for town homes and single family detached dwellings is \$85.00. The fees below also apply to the initial inspection per phase of construction of fire protection systems.

- | | | |
|---|---|-------------|
| A. Fire Alarm and Detection (w/main control panel) | \$115 per story + \$6 per device
(maximum \$250 per story) | |
| B. Fire Alarm and Detection Systems – Devices only | \$12 per device
minimum \$115 (maximum \$250 per story) | |
| C. Halon, CO2, or Clean Agent Systems | \$0.60 per pound of agent | |
| D. Sprinkler System | \$2.30 per sprinkler head | |
| E. Standpipe Systems | \$115 per riser | |
| F. Added hose valves on existing Standpipe | \$30 per hose valve | |
| G. Dry or Wet Chemical Extinguishing System | \$230 per system | |
| H. Fire Pump | \$230 per pump | |
| I. Final Fire Code Inspection for Use and Occupancy | | |
| 0 – 5,000 SF | | \$ 210 |
| 5,001 – 10,000 SF | | \$ 345 |
| 10,001 – 20,000 SF | | \$ 415 |
| 20,001 SF and up | | \$ 415 Plus |
| \$0.01 per SF of area exceeding 20,001 SF | | |

08.14.01.06 Certificate Fees

Capacity Certificate is \$115 per assembly room; \$5.00 for each duplicated certificate.

08.14.01.07 License Fee – Fire Protection/Detection Systems



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The fee for any Fire Protection System License issued by DPS for a firm or individual to engage in the business of installing, repairing, modifying, or servicing any fixed fire protection system.

\$200 per calendar year

08.14.01.08 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
 - 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

08.14.01.09 Well-Location Permit

Well-Location Permit (Each well) \$ 160

08.14.01.10 Miscellaneous

- A. Filing fees and permit fees are based on fees in effect on the date the application



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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 5% Automation Enhancement Fee per Executive Regulation 13-13 (COMCOR 08.24B.02).
- 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.
- 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:



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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.
3. The fee for a building permit construction-code modification request for fire codes is \$300.

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.

08.14.01.11 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.

08.14.01.12 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.]

COMCOR 08.14.01 Schedule of Fees for Permits, Licenses and Certifications – Method 2

08.14.01.01 Building Permits

A. General



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1. All fees required by this section must be paid before release of the permit. Construction, including excavation, must not begin until all fees are paid.
2. A filing fee must be paid when the application is submitted. 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 purpose 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 hours) shall be considered as a separate building. Two or more buildings on the same lot shall be treated as separate buildings.
5. 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.
6. Plan revision fees are in addition to the original fees.
7. Plan revisions are considered changes made by the applicant to the approved construction documents.
8. Permit fees are calculated on gross square footage of construction or area affected or created by construction (except commercial alteration).

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

1. Application filing fee for new building construction
50% of permit fee or \$700 whichever is greater
2. Application filing fee for addition, alteration or repair
50% of permit fee or \$265 whichever is greater
3. Application filing fee for residential rooftop solar panel meeting standard requirements
\$133



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4. <u>One- and Two-family detached dwelling unit</u>	\$0.71 per SF
<u><i>For Fiscal Year 2016 ONLY</i></u>	
a. <u>up to 5000 SF of construction area</u>	\$0.71 per SF
b. <u>5001 SF of construction area and above</u>	<u>\$0.71 per SF for first 5000SF + \$0.35 per SF of area exceeding 5000 SF</u>
5. <u>One- and two-family attached dwelling unit per dwelling unit</u>	\$1,400
6. <u>One- and Two-Family attached dwelling unit constructed under the MPDU program</u>	<u>\$1,000</u>
7. <u>Additions</u>	\$0.71 per SF
8. <u>Alterations or repairs</u>	\$0.63 per SF
9. <u>Private in-ground swimming pool (including fence)</u>	\$290
10. <u>Private above-ground swimming pool (including fence)</u>	\$215
11. <u>Decks (opened unenclosed) 500 SF or less in area</u>	\$180
12. <u>Decks (opened unenclosed) more than 500 SF in area</u>	\$0.71 per SF
13. <u>Retaining Walls</u>	\$180
14. <u>Accessory Buildings 200 SF or less</u>	\$110
15. <u>Accessory Buildings more than 200 SF</u>	\$0.71 per SF
16. <u>Solar Panels</u>	\$210
17. <u>Rooftop Solar Panels</u>	\$210
18. <u>Rooftop Solar Panels Refer-backs</u>	\$105
C. <u>Residential Plan revisions: \$0.71 per SF of new construction or the application filing fee per occurrence, whichever is greater; \$0.63 per SF of alteration or repair or the application filing fee per occurrence, whichever is greater. Each revision occurrence may include revision to one or more disciplines. Revisions submitted on different dates are considered separate occurrences.</u>	



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D. Demolition Permit \$145

E. Fence Permit \$72

F. Commercial Buildings and Structures

1. Application filing fee for new building and addition construction
50% or permit fee or \$670 whichever is greater

2. New construction and additions \$1.19 per SF

3. Buildings of Type I construction or high-rise or unlimited area buildings as defined by the International Building Code (IBC):

a. Up to 500,000 SF of construction area \$1.19 per SF

b. 500,001 SF of construction area and above
\$1.19 per SF for first 500,000SF + \$0.60 per SF of area exceeding 500,000 SF

4. Repairs, alterations and accessory structures: Permit fee is based on the cost of construction as provided by the applicant multiplied by 0.024, the local permit fee multiplier. However, the department may verify and recalculate the cost estimation submitted by the applicant. 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 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.

G. Commercial Plan revisions: \$670 or calculated under sections F.2. or F.3. above per occurrence, whichever is greater. Each revision occurrence may include revision to one or more disciplines. Revisions submitted on different dates are considered separate occurrences.

H. Use and Occupancy Certificates

1. The fee for any Use-and-Occupancy Certificate must be paid when the application is submitted.

2. Residential Use-and Occupancy Certificate \$94

3. 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:



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0 – 5000 SF	\$355
5,001 – 10,000 SF	\$520
10,001 – 20,000 SF	\$795
20,001 SF and up	\$1,240 + \$.024 per SF of area exceeding 20,000 SF

4. The fee for Use-and Occupancy Certificate for lots or parcels without buildings/structures on them \$575

I. 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. The fee is in addition to the equipment fees listed in this section. The following fee schedule applies to each piece of equipment.

New or replacement 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 \$26



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f. <u>Pre-fabricated chimney</u>	<u>\$14</u>
4. <u>Commercial Consultation inspection (per hour or fraction)</u>	<u>\$135</u>
08.14.01.02 Electrical Permits and License Fees	
A. <u>General</u>	
1. <u>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.</u>	
2. <u>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.</u>	
3. <u>A minimum fee of \$150 applies to all other electrical permits. This fee is in addition to the equipment fee listed in this section.</u>	
B. <u>Electrical Permits</u>	
1. <u>Air conditioners: (see motor schedule, item 18)</u>	
2. <u>Appliance, small*</u>	<u>\$ 9</u>
<u>*Such as air filters, automatic-vent amperes, 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</u>	
3. <u>Arc-vapor lamps, rectifiers, rheostat chargers for storage batteries (each)</u>	<u>\$13 each</u>
4. <u>Battery packs (each)</u>	<u>\$ 9</u>
5. <u>Commercial new construction: This includes all branch circuit wiring, temporaries-pending-final, equipment/appliances within the structure. These fees are applicable to alternative power sources – such as, but not limited to: photovoltaic, wind turbine and generators.</u>	
<u>Not over 100 Amps</u>	<u>\$600</u>
<u>101 – 200 Amps</u>	<u>\$745</u>
<u>201 – 300 Amps</u>	<u>\$895</u>
<u>301 – 400 Amps</u>	<u>\$1,055</u>
<u>Over 400 Amps</u>	<u>\$1,055</u>



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PLUS \$140 for each additional 100 Amps or fraction

6. Commercial tenant fit-ups, alterations, additions (includes all branch circuit wiring, temporaries-pending-final and equipment/appliances within the space)

<u>For low voltage or up to 20 devices</u>	<u>\$155</u>
<u>For single story up to 5,000 SF</u>	<u>\$230</u>
<u>For single story 5001 – 10,000 SF</u>	<u>\$380</u>
<u>For single story 10,001 – 20,000 SF</u>	<u>\$450</u>
<u>Over 20,001 SF or multi-story</u>	<u>\$520 per story</u>

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

18. Motors, rotating machinery, transformers, switch boards, electrical heaters, air conditioners, manually operated generators (assumes 1kwor 1kva 1hp):



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<u>Under ½ HP</u>	<u>charged as fixtures</u>
<u>½ HP – 10 HP (each)</u>	<u>\$16</u>
<u>11 HP – 20 HP (each)</u>	<u>\$21</u>
<u>21 HP – 30 HP (each)</u>	<u>\$31</u>
<u>31 HP – 50 HP (each)</u>	<u>\$38</u>
<u>51 HP – 75 HP (each)</u>	<u>\$46</u>
<u>75 HP (each)</u>	<u>\$52</u>
19. <u>Outlets and rough wiring (1 – 20 lights, switches or receptacles)</u>	<u>\$16</u>
<u>Each additional 10 outlets (or fraction thereof)</u>	<u>\$ 7</u>
20. <u>Radio, television, telephone (towers, dishes, microwave, relay systems, etc.)</u>	<u>\$97</u>
21. <u>Service equipment, heavy-up, replacement, sub-panel, or relocation (Residential only)</u>	
<u>0 – 400 Amps</u>	<u>\$38</u>
<u>401 Amps and up</u>	<u>\$76</u>
22. <u>Signs (each sign)</u>	<u>\$90</u>
23. <u>New Multi-family buildings (apartments, condominium dwelling units)</u>	
<u>Each dwelling unit</u>	<u>\$230</u>
<u>(Common areas such as stairwells, laundry, and storage rooms are charged as individual units for each panel or sub-panel required)</u>	
24. <u>Existing Multi-family buildings (apartments, condominium dwelling units)</u>	
<u>Each dwelling unit</u>	<u>\$150</u>
<u>(Common areas such as stairwells, laundry, and storage rooms are charged as individual units for each panel or sub-panel required)</u>	
25. <u>One- and two-family dwellings and townhouses: This includes all branch circuit wiring, temporaries-pending-final and equipment/appliances within the structure. These fees are also applicable to alternative power sources (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:</u>	
<u>Up to 200 Amps</u>	<u>\$230</u>
<u>201 – 400 Amps</u>	<u>\$335</u>



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<u>Over 400 Amps</u>	\$450
26. <u>Special deck inspections, slab concealment (each)</u>	\$46
27. <u>Sub-panels (Commercial)</u>	
<u>0 – 400 Amps</u>	\$38
<u>Over 400 Amps</u>	\$76
28. <u>Swimming pools, hot tubs, and spas (including circulating pumps, fixtures and receptacles)</u>	
<u>Bonding</u>	\$76
<u>Bonding</u>	\$21
29. <u>Temporary wiring – carnivals, fairs, holiday decorations and tree lots, etc. (includes panels and fixtures)</u>	\$110
30. <u>Temporary for construction (Residential only)</u>	\$76
31. <u>Transformers (see motor schedule, item 18)</u>	
32. <u>Transformer vaults, duct banks</u> (outdoor transformer, enclosure substation, or a switch-and-meter vault on private property including wiring)	\$97
33. <u>X-ray machines (each)</u>	\$16
34. <u>Any low-voltage work not previously specified</u>	
<u>1 – 10 devices</u>	\$33
<u>Each additional 10 or fraction thereof</u>	\$ 7
35. <u>Rooftop Solar Photovoltaic (up to 200 amps)</u>	\$115
36. <u>Electrical Charging Station</u>	\$50
 C. <u>Electrical License Fees</u>	
1. <u>Electrical Examinations</u>	
a. <u>Master Electrician and Master Limited</u>	\$75
b. <u>Journeyman Electrician</u>	\$75
c. <u>Homeowner's Electrical Examination Fee</u>	\$75



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject: Schedule of Fees for Permits, Licenses and Certifications – METHOD 2	Number: 9-15AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: July 1, 2015

d. <u>Homeowner's Electrical Re-Examination Fee</u>	\$75
2. <u>License and License Renewal Fees (per year)</u>	
a. <u>Electrical Contractor</u>	\$88
b. <u>Master Electrician</u>	\$88
c. <u>Master Electrician (Limited)</u>	\$88
d. <u>Journeyman Electrician</u>	\$88
e. <u>Apprentice Electrician (identification card)</u>	\$88
3. <u>Duplicate license or identification card</u>	\$31
4. <u>Re-examination fee</u>	\$31
5. <u>Late renewal fee</u>	\$59
6. <u>Electrical contractor change of business name or status</u>	\$59
7. <u>Electrician Good Standing Letter</u>	\$31

08.14.01.03 Fire Code 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 for new installation or revision is \$155.
3. 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. Revisions submitted on different dates are considered separate occurrences.

B. Fire-Protection-Systems Fees

- | | |
|---|-------|
| 1. <u>Fire-alarm and -detection systems (devices, main control panels, or household devices and control panels (per device)</u> | \$31 |
| 2. <u>CO2 or Clean Agent systems (per system)</u> | \$760 |
| 3. <u>Sprinkler systems (per sprinkler head)</u> | \$ 7 |
| 4. <u>Fire pumps (per pump)</u> | \$600 |



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- 5. Added hose valves on existing standpipe (per hose) \$355
- 6. Dry or Wet Chemical Extinguishing systems (per system) \$465
- 7. Standpipe systems (per riser) \$525

C. Plan Revisions

- 1. Fire Alarm (per device) \$31
- 2. Sprinkler Systems (per sprinkler head) \$7
- 3. Other – per device (includes CO2 and Clean Agent systems, Fire pumps, added hose valves on existing standpipe, Dry or Wet Chemical extinguishing systems) \$155

08.14.01.04 Certificate Fees

Capacity Certificate fee is \$115 per assembly room; \$5.00 for each duplicated certificate.

08.14.01.05 Well-Location Permit

- Well-Location Permit (Each well) \$160

08.14.01.06 Vendor Fees

A. Operator Permit fee

- 1. For Non-Certified Agricultural Producers and their operators \$70
- 2. For Certified Agricultural Producers and their operators \$56

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

- 1. Per site for Site-Specific \$315
- 2. Door-to-Door \$140
- 3. Regular Route \$245

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

C. Temporary Sales License

- 1. 60 consecutive days \$175
- 2. Daily Rate \$175

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



MONTGOMERY COUNTY EXECUTIVE REGULATION

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08.14.01.07 Benefit Performances

- A. A benefit performance may not be conducted without a permit and all fees required by this section must be paid before release of the permit for a benefit performance.
- B. A bona fide non-profit organization must pay the following permit fee for a permit for a benefit performance.

Benefit Performance \$175

08.14.01.08 Storage of Vendor-Confiscated Goods

This regulation sets a fee for the storage of goods confiscated by the Department of Permitting Services enforcement staff from vendors illegally offering goods for sale.

Storage Fee \$140

08.14.01.09 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 the Automation Enhancement Fee per Executive Regulation 13-13 (COMCOR 08.24B.02).
- C. Refunds: Minimum permit filing and license fees are non-refundable, except in the case of an administrative error. 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% 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 a refund is made before the expiration date of the permit. Revoked, suspended, or invalid permits or licenses, or licenses or permits in litigation, are not eligible for refunds.
- D. Application Extensions: The fee to extend an application (before the permit is issued) is 15% of the filing fee.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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- E. Permit Extensions: The fee to extend a permit, after written application and before expiration of the original permit, is 15% of the total permit fee.

- F. Inspection Fees:
 - 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 \$150
 - 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 \$97
 - 4. The re-inspection fee must be paid before an additional inspection is scheduled.

- G. Permit Application Revisions: The fee for revisions to permit information after submission by the applicant \$49
- H. Plan revision, residential – room description name change \$49
- I. Construction codes modifications or interpretations \$510

- J. 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 \$62 processing fee.

08.14.01.10 Indexing Of Fees To Labor and Operating Cost Changes and to Manage Reserves

The Director of Permitting Services must calculate an enterprise fund stabilization factor (EFSF) each year to be applied to each fee set in or under this regulation on July 1 or each year. The EFSF is the factor by which the fee calculation is adjusted, up or down, to cover DPS labor and operating costs and to manage the DPS reserve policy in accordance with the 2002 Principles of the Fiscal Management of the Permitting Services Fund. The Director must publish the EFSF for each upcoming fiscal year not later than March 15 of the current fiscal year. For any year in which the EFSF will be less than .80 or greater than 1.20, the Department must review its fee rates and functional analysis behind the fee rates to determine if changes need to be made to the fee rates.

08.14.01.11 Severability

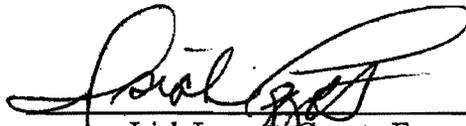


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The provisions of these regulations are severable. If a court of competent jurisdiction holds that a provision is invalid or inapplicable, the remainder of the regulation remains in effect.



Isiah Leggett, County Executive

June 3, 2015
Date

Approved as to form and legality:



Office of the County Attorney

1 June 2015
Date



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Montgomery County Regulation on:

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

DEPARTMENT OF PERMITTING SERVICES

Issued by: County Executive
Regulation No. 9-15AM
COMCOR No. 08.14.01

Authority: Montgomery County Code (2004) Sections 8-13, 8-14, 8-24B, 8-25, 8-28, 17-2, 17-10, 17-20, 17-25, 17-27,

27A-5(E), 22-10, 22-13, 30-2, 30-4, 47-2, 47-3, 47-4

Supersedes: Regulation No. 14-13 Schedule of Fees for Permits, License and Certifications

Council review: Method 2 under Code Section 2A-15
Register Vol. 32, Issue 4

Comment Deadline: April 30, 2015
Effective Date: July 1, 2015
Sunset Date: None

SUMMARY: This regulation eliminates the Maryland National Capital Park and Planning Commission (MNCPPC) surcharge, replaces multiple construction-type based fee rates with a per square foot construction rate, or flat fees and eliminates the Fire Code Building Permit Inspection Fees. This regulation includes Building Permit fees for electric vehicle charging stations and rooftop solar photovoltaic systems for single family dwellings as required by Bill 11-14 Buildings – Electrical Vehicle Charging Station Permits – Expedited Review and Bill 1-14 Buildings – Solar Permits – Expedited Review both of which were effective July 31, 2014. The fees for Benefit Performance Licenses and the fee for Storage of Vendor-Confiscated Goods have been moved to this regulation from Executive Regulation 15-13 Schedule of Fees for Permits, Licenses and Inspection – Method 3 (COMCOR No. 19.67.02). This regulation supersedes Executive Regulation 14-13 in its entirety.

STAFF CONTACT: Hadi Mansouri, Chief Operating Officer
Department of Permitting Services
240-777-6233



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject: Schedule of Fees for Permits, Licenses and Certifications – METHOD 2	Number: 9-15AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: July 1, 2015

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

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. In Fiscal 2015 the Department of Permitting Services engaged in a comprehensive study of its fee structure. As a result of this study, certain recommendations were made to simplify several elements of its fee structure, including eliminate the Maryland National Capital Park and Planning Commission (MNCPPC) surcharge, adjust fees based upon functional analysis, replace multiple construction-type based fee rates with a per square foot construction rate, or flat fees and apply a rate stabilization factor to address revenue volatility and avoid excess reserve. For residential and commercial new construction, additions and residential alterations, fees are calculated on gross square footage of construction or area impacted by construction. For commercial alterations, the fee is calculated using cost of construction multiplied by a local multiplier. This regulation also establishes flat fees for routine residential and commercial building permits. The Fire Code Building Permit Inspection Fees have been eliminated. This regulation includes Building Permit fees for electric vehicle charging stations and rooftop solar photovoltaic systems for single family dwellings as required by Bill 11-14 Buildings – Electrical Vehicle Charging Station Permits – Expedited Review and Bill 1-14 Buildings – Solar Permits – Expedited Review both of which were effective July 31, 2014. The fees for Benefit Performance Licenses and the fee for Storage of Vendor-Confiscated Goods have been moved to this regulation from Executive Regulation 15-13 Schedule of Fees for Permits, Licenses and Inspection – Method 3 (COMCOR No. 19.67.02).

COMCOR 08.14.01 Schedule of Fees for Permits, Licenses and Certifications – Method 2

08.14.01.01 Building Permits

A. General

1. All fees required by this section must be paid before release of the permit. Construction, including excavation, must not begin until all fees are paid.
2. A filing fee must be paid when the application is submitted. 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.



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4. For the purpose 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 hours) shall be considered as a separate building. Two or more buildings on the same lot shall be treated as separate buildings.

5. 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.
6. Plan revision fees are in addition to the original fees.
7. Plan revisions are considered changes made by the applicant to the approved construction documents.
8. Permit fees are calculated on gross square footage of construction or area affected or created by construction (except commercial alteration).

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

1. Application filing fee for new building construction
50% of permit fee or \$700 whichever is greater
2. Application filing fee for addition, alteration or repair
50% of permit fee or \$265 whichever is greater
3. Application filing fee for residential rooftop solar panel meeting standard requirements
\$133
4. One- and Two-family detached dwelling unit \$0.71 per SF
For Fiscal Year 2016 ONLY
 - a. up to 5000 SF of construction area \$0.71 per SF
 - b. 5001 SF of construction area and above
\$0.71 per SF for first 5000SF + \$0.35 per SF of area exceeding 5000 SF
5. One- and two-family attached dwelling unit per dwelling unit \$1,400



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6. One- and Two-Family attached dwelling unit constructed under the MPDU program	\$1,000
7. Additions	\$0.71 per SF
8. Alterations or repairs	\$0.63 per SF
9. Private in-ground swimming pool (including fence)	\$290
10. Private above-ground swimming pool (including fence)	\$215
11. Decks (opened unenclosed) 500 SF or less in area	\$180
12. Decks (opened unenclosed) more than 500 SF in area	\$0.71 per SF
13. Retaining Walls	\$180
14. Accessory Buildings 200 SF or less	\$110
15. Accessory Buildings more than 200 SF	\$0.71 per SF
16. Solar Panels	\$210
17. Rooftop Solar Panels	\$210
18. Rooftop Solar Panels Refer-backs	\$105
<p>C. Residential Plan revisions: \$0.71 per SF of new construction or the application filing fee per occurrence, whichever is greater; \$0.63 per SF of alteration or repair or the application filing fee per occurrence, whichever is greater. Each revision occurrence may include revision to one or more disciplines. Revisions submitted on different dates are considered separate occurrences.</p>	
D. Demolition Permit	\$145
E. Fence Permit	\$72
<p>F. Commercial Buildings and Structures</p> <p style="margin-left: 20px;">1. Application filing fee for new building construction, addition, alteration or repair 50% or permit fee or \$670 whichever is greater</p>	



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2. New construction and additions	\$1.19 per SF
3. Buildings of Type I construction or high-rise or unlimited area buildings as defined by the International Building Code (IBC):	
a. Up to 500,000 SF of construction area	\$1.19 per SF
b. 500,001 SF of construction area and above	
\$1.19 per SF for first 500,000SF + \$0.60 per SF of area exceeding 500,000 SF	
4. Repairs, alterations and accessory structures: Permit fee is based on the cost of construction as provided by the applicant multiplied by 0.024, the local permit fee multiplier. However, the department may verify and recalculate the cost estimation submitted by the applicant. 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 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.	
G. Commercial Plan revisions: \$670 or calculated under sections F.2. or F.3. above per occurrence, whichever is greater. Each revision occurrence may include revision to one or more disciplines. Revisions submitted on different dates are considered separate occurrences.	
H. Use and Occupancy Certificates	
1. The fee for any Use-and-Occupancy Certificate must be paid when the application is submitted.	
2. Residential Use-and Occupancy Certificate	\$94
3. 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 – 5000 SF	\$355
5,001 – 10,000 SF	\$520
10,001 – 20,000 SF	\$795
20,001 SF and up	\$1,240 + \$0.024 per SF of area exceeding 20,000 SF
4. The fee for Use-and Occupancy Certificate for lots or parcels without buildings/structures on them.	\$575

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I. 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. The fee is in addition to the equipment fees listed in this section. The following fee schedule applies to each piece of equipment.

New or replacement 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 | \$26 |
| f. Pre-fabricated chimney | \$14 |
4. Commercial Consultation inspection (per hour or fraction) \$135

08.14.01.02 Electrical Permits 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.



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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: (see motor schedule, item 18)
2. Appliance, small* \$ 9
 *Such as air filters, automatic-vent amperes, 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, rheostat chargers for storage batteries (each) \$13 each
4. Battery packs (each) \$ 9
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 sources – such as, but not limited to: photovoltaic, wind turbine and generators.

Not over 100 Amps	\$600
101 – 200 Amps	\$745
201 – 300 Amps	\$895
301 – 400 Amps	\$1,055
Over 400 Amps	\$1,055

PLUS \$140 for each additional 100 Amps or fraction

6. Commercial tenant fit-ups, alterations, additions (includes all branch circuit wiring, temporaries-pending-final and equipment/appliances within the space)

For low voltage or up to 20 devices	\$155
For single story up to 5,000 SF	\$230
For single story 5001 – 10,000 SF	\$380
For single story 10,001 – 20,000 SF	\$450
Over 20,001 SF or multi-story	\$520 per story



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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
18. Motors, rotating machinery, transformers, switch boards, electrical heaters, air conditioners, manually operated generators (assumes 1kw or 1kva 1hp):	
Under ½ HP	charged as fixtures
½ HP – 10 HP (each)	\$16
11 HP – 20 HP (each)	\$21
21 HP – 30 HP (each)	\$31
31 HP – 50 HP (each)	\$38
51 HP – 75 HP (each)	\$46
75 HP (each)	\$52
19. Outlets and rough wiring (1 – 20 lights, switches or receptacles)	\$16
Each additional 10 outlets (or fraction thereof)	\$ 7



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20. Radio, television, telephone (towers, dishes, microwave, relay systems, etc.)	\$97
21. Service equipment, heavy-up, replacement, sub-panel, or relocation (Residential only)	
0 – 400 Amps	\$38
401 Amps and up	\$76
22. Signs (each sign)	\$90
23. New Multi-family buildings (apartments, condominium dwelling units)	
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)	
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 and equipment/appliances within the structure. These fees are also applicable to alternative power sources (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:	
Up to 200 Amps	\$230
201 – 400 Amps	\$335
Over 400 Amps	\$450
26. Special deck inspections, slab concealment (each)	\$46
27. Sub-panels (Commercial)	
0 – 400 Amps	\$38
Over 400 Amps	\$76
28. Swimming pools, hot tubs, and spas (including circulating pumps, fixtures and receptacles)	
	\$76
Bonding	\$21



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29. Temporary wiring – carnivals, fairs, holiday decorations and tree lots, etc. (includes panels and fixtures)	\$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 – 10 devices	\$33
Each additional 10 or fraction thereof	\$ 7
35. Rooftop Solar Photovoltaic (up to 200 amps)	\$115
36. Electrical Charging Station	\$50
C. Electrical License Fees	
1. Electrical Examinations	
a. Master Electrician and Master Limited	\$75
b. Journeyman Electrician	\$75
c. Homeowner’s Electrical Examination Fee	\$75
d. Homeowner’s Electrical Re-Examination Fee	\$75
2. License and License Renewal Fees (per year)	
a. Electrical Contractor	\$88
b. Master Electrician	\$88
c. Master Electrician (Limited)	\$88
d. Journeyman Electrician	\$88
e. Apprentice Electrician (identification card)	\$88
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	\$31



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08.14.01.03 Fire Code 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 for new installation or revision is \$155.
3. 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. Revisions submitted on different dates are considered separate occurrences.

B. Fire-Protection-Systems Fees

- | | |
|--|-------|
| 1. Fire-alarm and –detection systems (devices, main control panels, or household devices and control panels (per device) | \$31 |
| 2. CO2 or Clean Agent systems (per system) | \$760 |
| 3. Sprinkler systems (per sprinkler head) | \$ 7 |
| 4. Fire pumps (per pump) | \$600 |
| 5. Added hose valves on existing standpipe (per hose) | \$355 |
| 6. Dry or Wet Chemical Extinguishing systems (per system) | \$465 |
| 7. Standpipe systems (per riser) | \$525 |

C. Plan Revisions

- | | |
|--|-------|
| 1. Fire Alarm (per device) | \$31 |
| 2. Sprinkler Systems (per sprinkler head) | \$ 7 |
| 3. Other – per device (includes CO2 and Clean Agent systems, Fire pumps, added hose valves on existing standpipe, Dry or Wet Chemical extinguishing systems) | \$155 |



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08.14.01.04 Certificate Fees

Capacity Certificate fee is \$115 per assembly room; \$5.00 for each duplicated certificate.

08.14.01.05 Well-Location Permit

Well-Location Permit (Each well) \$160

08.14.01.06 Vendor Fees

- A. Operator Permit fee
 - 1. For Non-Certified Agricultural Producers and their operators \$70
 - 2. For Certified Agricultural Producers and their operators \$56

- B. Point-of-Sale License for Vendors Who are not Certified Agricultural Producers
 - 1. Per site for Site-Specific \$315
 - 2. Door-to-Door \$140
 - 3. Regular Route \$245

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

- C. Temporary Sales License
 - 1. 60 consecutive days \$175
 - 2. Daily Rate \$175

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

08.14.01.07 Benefit Performances

- A. A benefit performance may not be conducted without a permit and all fees required by this section must be paid before release of the permit for a benefit performance.
- B. A bona fide non-profit organization must pay the following permit fee for a permit for a benefit performance.

Benefit Performance \$175



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	Number: 9-15AM
Originating Department: DEPARTMENT OF PERMITTING SERVICES	Effective Date: July 1, 2015

08.14.01.08 Storage of Vendor-Confiscated Goods

This regulation sets a fee for the storage of goods confiscated by the Department of Permitting Services enforcement staff from vendors illegally offering goods for sale.

Storage Fee	\$140
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08.14.01.09 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 the Automation Enhancement Fee per Executive Regulation 13-13 (COMCOR 08.24B.02).
- C. Refunds: Minimum permit filing and license fees are non-refundable, except in the case of an administrative error. 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% 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 a refund is made before the expiration date of the permit. Revoked, suspended, or invalid permits or licenses, or licenses or permits in litigation, are not eligible for refunds.
- D. Application Extensions: The fee to extend an application (before the permit is issued) is 15% of the filing fee.
- E. Permit Extensions: The fee to extend a permit, after written application and before expiration of the original permit, is 15% of the total permit fee.
- F. Inspection Fees:
 - 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
\$150



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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 \$97

4. The re-inspection fee must be paid before an additional inspection is scheduled.

G. Permit Application Revisions: The fee for revisions to permit information after submission by the applicant \$49

H. Plan revision, residential – room description name change \$49

I. Construction codes modifications or interpretations \$510

J. 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 \$62 processing fee.

08.14.01.10 Indexing Of Fees To Labor and Operating Cost Changes and to Manage Reserves

The Director of Permitting Services must calculate an enterprise fund stabilization factor (EFSF) each year to be applied to each fee set in or under this regulation on July 1 or each year. The EFSF is the factor by which the fee calculation is adjusted, up or down, to cover DPS labor and operating costs and to manage the DPS reserve policy under the 2002 Principles of the Fiscal Management of the Permitting Services Fund. The Director must publish the EFSF for each upcoming fiscal year not later than March 15 of the current fiscal year. For any year in which the EFSF will be less than .80 or greater than 1.20, the Department must review its fee rates and functional analysis behind the fee rates to determine if changes need to be made to the fee rates.



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08.14.01.11 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

June 3, 2015

Date

Approved as to form and legality:



Office of the County Attorney

1 June 2015

Date

Resolution No.: _____
Introduced: _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY MARYLAND**

By: County Council

SUBJECT: Approval of Executive Regulation 9-15AM, Schedule of Fees for Permits, Licenses and Certifications

Background

1. The Montgomery County Code, under Chapters 8 (Buildings), 17 (Electricity), 27A (Individual Water Supply and Sewage Disposal Facilities), 22 (Fire Safety Code), 30 (licensing and Regulations Generally), and 47 (Vendors), authorizes the County Executive to adopt regulations concerning fees under Method (2).
2. Regulation 9-15AM would replace multiple fees based on construction type with a per square foot rate or flat fees and eliminate the Fire Code Building Permit Inspection Fees. The new fees would also eliminate the Maryland-National Capital Park and Planning Commission (M-NCPPC) surcharge. There are specific fees for utilities, maintenance of traffic plans, right-of-way permits, electric vehicle charging stations, and rooftop solar photovoltaic systems for single-family dwellings.
3. On May 22, 2015, the County Council received Executive Regulation 9-15. The Council received Executive Regulation 9-15AM on June 4, 2015.
4. The Council reviewed the regulation under Method (2) of County Code §2A-15.
5. Under Method (2), the Council may approve, disapprove, or extend the time for action within 60 days of receiving the regulation. In the absence of Council action, the regulation is deemed approved as submitted.
6. On June 8, 2015, the Planning, Housing, and Economic Development Committee reviewed Executive Regulation 9-15AM and recommended approval.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The County Council approves Executive Regulation 9-15AM, Schedule of Fees for Permits, Licenses and Certifications.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council