

Proposed Town Law of the Town of Rensselaerville
Local Law No. 2 of 2019

A Local Law amending the Town of Rensselaerville Fee Schedule

BE IT ENACTED by the Town Board of the Town of Rensselaerville as follows:

Section 1. Title:

This law shall be known as the “2019 Fee Schedule Local Law.”

Section 2. Purpose and Intent:

The Town Board has determined that the Town of Rensselaerville Fee Schedule should be updated to more accurately reflect the Town’s costs associated with its services.

Section 3. Repeal:

Local Law No. 2 of 2018, codified as Chapter 114 of the current Town Code is hereby repealed.

Section 4. New Chapter 114 “Fees”.

Chapter 114 of the current Town Code of Rensselaerville shall read as follows:

Section 114-1. Purpose:

It is the purpose of this chapter to revise and establish the various fees fixed by the Town of Rensselaerville for effective administration.

Section 114-2. Title:

This chapter shall be known as the “Fee Schedule of the Town of Rensselaerville.”

Section 114-3. Planning Board administrative fees:

Applicants for subdivisions, land annexations and special permits which require Planning Board review and approval shall pay to the Town of Rensselaerville the applicable fee pursuant to the following schedule.

A. Subdivision application fees.

- 1) Minor subdivision application: \$150.
- 2) Major subdivision application: \$150 for each lot proposed on the preliminary plat.

3) Land annexation: \$50.

4) Consultant fee. If the Planning Board deems it necessary to retain a professional engineering or planning consultant to assist in the review of a major subdivision application, the applicant shall be responsible to pay the cost for such consultant services above the first \$200. The Planning Board may require the applicant to submit payment at the time the consultant is retained, in an escrow account, to be established by the planning Board, in an amount estimated to cover the cost for such consultant services.

B. Special permit fees.

1) Junkyards: \$150.

2) All other uses requiring a special permit: \$150.

3) Consultant fee. If the Planning Board deems it necessary to retain a professional engineering or planning consultant to assist it in the review of a special permit application, the applicant shall be responsible to pay the cost for such consultant services above the first \$100. The Planning Board may require the applicant to submit payment at the time the consultant is retained, in an escrow account, to be established by the Planning Board, in an amount estimated to cover the cost for such consultant services.

C. Change of use: \$50.

D. Collection of fees. The fees set forth above shall be submitted to and collected by the Secretary of the Planning Board or Town Clerk at the time the application is submitted.

Section 114-4. Zoning Board of Appeals fees:

Applicants who are appealing a matter to the Zoning Board of Appeals for a variance or interpretation of Chapter 215, Zoning, of the Code of the Town of Rensselaerville shall pay to the Town of Rensselaerville the applicable fee pursuant to the following schedule.

A. Variances.

1) Area variances for a residential use: \$50.

2) Area variance for a commercial use: \$50.

3) Use variances: \$75.

4) Sign variance: \$50.

B. Applications for an interpretation: \$50.

C. Any other appeals to the ZBA: \$100.

D. Publication cost. In addition to the fees set forth above, the applicant shall pay \$75 for the cost of publishing the notice of the public hearing in the official newspaper of the Town prior to the commencement of the public hearing.

Section 114-5. Zoning Officer fees:

Applications for a zoning permit or a sign permit shall pay to the Town of Rensselaerville the applicable fee pursuant to the following schedule.

A. Zoning permits:

1) Residential uses: \$50.

2) Nonresidential uses: \$50 (commercial).

3) Accessory uses: \$50. (does require a building permit over 150 square feet).

4) Sign permits: \$50.

5) Truss sign permit: \$50.

B. The fees set forth above shall be submitted to the Zoning Officer or Town Clerk when the zoning application is submitted.

Section 114-6. Building Inspector fees:

The applicant for a building permit and/or certificate of occupancy shall pay to the Town of Rensselaerville the applicable fee pursuant to the following schedule.

A. Residential:

1) Building permits:

a. New principal residential structures, homes, double-wide and single-wide trailers, and modular buildings:

i. Up to 1,500 sq. ft. - \$150.

ii. Over 1,500 sq. ft. - \$250.

- b. Alterations, renovations, conversions, additions, repairs of existing buildings:
 - i. Up to 240 sq. ft. - \$50.
 - ii. Over 240 sq. ft. - \$50 plus \$.015 per sq. ft. over 240 sq. ft.
 - c. New decks: \$50.
 - d. New garages: \$0.15 per square foot; minimum \$50.
 - e. New outbuildings:
 - i. Residential – up to 240 sq. ft. - \$50.
 - ii. Residential – over 240 sq. ft. - \$50. plus \$0.15 per sq. ft. over 240 sq. ft.
- 2) Nonstructural repairs, shingles and siding replacement: exempt; Building Inspector review required.
 - 3) Replacement of existing chimneys: \$50.
 - 4) Solar – roof/ground: \$50 per New York State.
 - 5) All permits are valid for one year from day of issue. Cost of renewal shall be \$50.
 - 6) Certificate of occupancy: \$50.
 - 7) Temporary certificate of occupancy: 90 days: \$50.
 - 8) Third and subsequent certificate of occupancy: \$50.
 - 9) Sewer hookup to sewer district: \$50.
 - 10) Septic tank replacement: \$50.
 - 11) Septic tank and leach field: \$60.

B. Commercial:

- 1) Commercial, industrial new construction: \$0.35 per square foot.
- 2) Alterations, renovations, conversions of existing building: \$0.25 per square foot.

- 3) Fuel burning device: \$50.
- 4) Commercial chimneys: \$50.
- 5) Certificate of occupancy: \$50.
- 6) Repair septic system: \$50.
- 7) Perc for septic repair: \$50.
- 8) Transmitting or telecommunication tower: \$500.
- 9) Utilization of existing tower: \$250.

C. Multiple-dwelling buildings:

- 1) \$0.35 per square foot
- 2) Certificate of occupancy, each unit: \$50.

D. Trailer parks:

- 1) Construction: \$100 plus \$5 each for lot or space.
- 2) Certificate of occupancy: each unit: \$50; new rentals: \$50.

E. Applicable to all uses:

- 1) Title Search: \$50.
- 2) File review (certificates of occupancy, violations, etc.): \$50.
- 3) Inspection of new septic tank only, repairs: \$50.
- 4) Wood-burning stoves and new heating units: \$50.
- 5) For churches, fire departments and ambulance organizations, fees are waived.
Permits are required.
- 7) Swimming pools.
 - a. Above ground: \$50.
 - b. In ground: \$50.

- c. All inspections, New York State safety rules shall apply (fences).
- 8) Recreational trailers.
 - a. Recreational trailers, seasonal use, yearly permits required: \$50.
 - b. All recreational trailer must have self-contained holding tanks; there shall be no dumping on property. Violators will be prosecuted.
- 9) Site Plan Review: \$0.
- 10) Agricultural buildings, including pole barns:
 - a. Up to 10,000 cu. ft. - \$50, plus;
 - b. \$2. for each 1,000 cu. ft. over 10,000 cu. ft. and up to 40,000 cu. ft., plus;
 - c. \$1 for each 1,000 cu. ft. over 40,000 cu. ft.
- 11) Demolition: \$0.

Section 114-7. Floodplain development permits:

All applications for a floodplain development permit shall be accompanied by an application fee of \$100. In addition, the applicant shall be responsible for reimbursing the Town of Rensselaerville for any additional costs necessary for review, inspection and approval of this project. The local floodplain administrator (the Building Inspector) may require a deposit of no more than \$500 to cover these additional costs.

Section 114-8. Publications:

- A. Subdivision regulation book: \$5.
 - 1) Subdivision regulation book postage (if mailed): \$10.
- B. Comprehensive Master Plan Book: \$15.00
- C. Zoning map: \$3.00

Section 114-9. Requirements for zoning change or amendment:

An application, petition or request to the Town Board for a zoning change or amendment to Chapter 215, Zoning, of the Code of the Town of Rensselaerville shall be accompanied by a fee of \$100, payable to the Town of Rensselaerville.

Section 114-10. Time for submissions of fees:

All fees must be submitted at the time the particular application is submitted. An application shall not be considered complete until the correct fee is paid, and no further action shall be taken, nor permit or approval granted, until the correct fee is paid in full.

Section 114-11. Recycling and refuse fees:

A. Recycling.

- 1) Appliance recycling: \$0.
- 2) Tires – car (each): \$3.
- 3) Tires – truck (each): \$5.

B. Refuse.

- 1) Commercial refuse license: \$250.

Section 114-12. Town Clerk fees:

A. There shall be no fee charged for:

- 1) Inspection of records;
- 2) Search for records; or
- 3) Any certification pursuant to this article

B. Fees for copies may be charged as follows:

- 1) The fee for copying records shall be \$0.25 per page for single sided photocopies not exceeding nine inches by 14 inches.
- 2) The fee for copying records shall be \$0.50 per page for double sided photocopies not exceeding nine inches by 14 inches.
- 3) The fee for photocopies of records in excess of nine inches by 14 inches shall be the actual cost of reproduction; or

- 4) An agency has the authority to redact portions of a paper record and does so prior to disclosure of the record by making a photocopy from which the proper redactions are made.
- C. The fee the Town of Rensselaerville may charge for a copy of any other record is based on the actual cost of reproduction and may include only the following:
- 1) An amount equal to the hourly salary attributed to the lowest paid employee who has the necessary skill required to prepare a copy of the requested record, but only when more than two hours of the employee's time are necessary to do so; and
 - 2) The actual cost of the storage devices or media provided to the person making the request in complying with such request; or
 - 3) The actual cost to the Town of engaging an outside professional service to prepare a copy of a record, but only when an agency's information technology equipment is inadequate to prepare a copy, and if such service is used to prepare the copy.
- D. When the Town has the ability to retrieve or extract a record or data maintained in a computer storage system with reasonable effort, or when doing so requires less employee time than engaging a manual retrieval or redactions from nonelectronic records, the Town shall be required to retrieve or extract such record or data electronically. In such case, the Town may charge a fee in accordance with Subsection D (1) and (2) above.
- E. The records access officer shall inform a person requesting a record of the estimated cost of preparing a copy of the record if more than two hours of an agency employee's time are needed, or if it is necessary to retain an outside professional service to prepare a copy of the record
- F. The records access officer may require that the fee for copying or reproducing a record be paid in advance of the preparation of such copy.
- G. The records access officer may waive a fee in whole or in part when making copies of records available.
- H. Fees for facsimiles will be charged as follows:
- 1) 518/838 area code (incoming & outgoing; per page): \$1.
 - 2) Long distance (incoming & outgoing; per page): \$2.

I. Fees for birth certificates, marriage licenses and death certificates will be charged as follows, subject to such amounts as modified by the New York State Department of Health:

1) Birth certificates.

a. Original: N/C

b. Duplicate: \$10.00

2) Marriage licenses:

a. Original: \$40.00

b. Duplicate: \$10.00

3) Death certificates.

a. \$10.00

J. There shall be no fee charged for a handicap parking permit.

Section 114.13. Animal fees:

A. Fees for licensing of dogs shall be charged as follows:

1) New/renewal (spayed/neutered): \$8.00

(Includes the assessment of the mandatory New York State surcharge of \$1 for the purpose of carrying out animal population control)

2) New/renewal (unsprayed/unneutered): \$15.00

(Includes the assessment of the mandatory New York State surcharge of \$3 for the purpose of carrying out animal population control)

3) Dog tag replacement fee: \$3.00

4) Enumeration fee. When the Town Board determines the need for a dog enumeration, an additional fee of \$5 will be assessed to all dogs found unlicensed or renewed at the time the enumeration is conducted.

B. Fees for seizure of dogs.

1) The fee for seizure and impoundment of dogs in violation of this article or the Laws of the New York State Department of Agriculture and Markets Law are as follows:

- a. First offense: \$10 plus \$25 per day of impoundment, and any veterinary, euthanasia and any other fees per animal that are charged to the Town for such service;
- b. Second offense: \$20 plus \$25 per day of impoundment, and any veterinary, euthanasia and any other fees per animal;
- c. Third offense and additional offenses: \$30 plus \$25 per day of impoundment, and any veterinary, euthanasia and any other fees per animal.
- d. No impounded dog shall be returned to the owner until such fees are paid. If the owner of any impounded dog refuses to pay such fees and/or abandons the impounded dog, the Town may seek recovery of such fees by commencing an action in a court of competent jurisdiction and the owner shall also be required to pay the Town costs and attorneys' fees incurred in attempting to recover the aforesaid fees.
- e. Offenses are charged against the owner regardless of the dog(s) involved.

D. All fees set forth in this section are calculated to reimburse the Town for the costs of the administration of the Dog Licensing and Control Law of the Town and will be used for such purpose. The Town Board is hereby authorized to review periodically the schedule and amount of fees set forth in this schedule and to amend said schedule and amount of fees from time to time by resolution or local law as the Town Board deems necessary to fund the administration of this section.

Section 114.14. Highway fees:

- A. Driveway installation: \$150.
- B. Road dedication application: \$500.

Section 5. Authority and Supersession:

This article is enacted by the Town Board of the Town of Rensselaerville pursuant to its authority to adopt local laws under the New York State Constitution, Article IX, and §§ 10 and 20 of the Municipal Home Rule Law.

Section 6. Severability of Provisions:

Should any section or provision of this local law be declared null, void, voidable, or invalid, such finding shall not affect the validity of the remaining portions of this local law.

Section 7. Effective Date:

This local law shall take effect upon filing with the Secretary of State.