

Article Fourteen

Processes, Permits and Fees



May 18, 2006
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Processes, Permits, and Fees

14.1 Types of Petitions

The Town of Cicero/Jackson Township hereby requires that an application and filing fee be submitted for the following formal petitions:

- a. Variances (developmental standards or use),
- b. Special Exceptions,
- c. Improvement Location Permit,
- d. Certificate of Occupancy,
- e. Subdivision Plats/Development Plans,
- f. Planned Developments,
- g. Zoning Amendments (zoning map change),
- h. Administrative Appeals,
- i. Voluntary Annexations,
- j. Sign Permit Review (permanent and temporary),
- k. Building Permits, and
- l. Change of Use Permits.

All applications may be obtained through the Zoning Administrator's office. Fees shall be paid at the Zoning Administrator's office at the time of assignment of a Docket Number.

14.2 Processes per Type of Petition

A. Variances: The following procedure applies to Variance Petitions.

- a. Submit a Variance application, required supportive information, and application fee thirty (30) days prior to the regularly scheduled Board of Zoning Appeals meeting.
- b. The Board of Zoning Appeals (BZA) will then review the variance application and required supportive information. The BZA may approve, deny or table the petition. The BZA may add conditions to an approval. Approvals shall only be granted upon findings of fact in compliance with 36-7-4-900 et seq. and the requirements of this Ordinance.
- c. The intensity of the variance may be reduced at the public hearing if approved by the BZA.

B. Special Exceptions: The following procedure applies to Special Exception Petitions.

- a. Submit a Special Exception application, required information, and application fee thirty (30) days prior to the regularly scheduled Board of Zoning Appeals meeting.
- b. At their next regularly scheduled public meeting, the BZA shall then review:
 1. The Special Exception application, required information,
 2. The opinion of the Plan Commission if requested,
 3. Testimony of the petitioner, and
 4. Testimony of the public.

The BZA may (the Board has discretionary powers) approve, deny, or table the petition. The BZA may add conditions to an approval.

14.3 Improvement Location Permits

A. Permits Required: No building ,structure, or major infrastructure shall be erected, moved, added to, demolished or structurally altered without an Improvement Location Permit and Building Permit issued by the Zoning Administrator. No Improvement Location Permit or Building Permit shall be issued by the Zoning Administrator unless the project is in conformity

with the provision of this Ordinance. Changes of use or expansions of use also require an Improvement Location Permit and Change or Expansion of Use Permit.

- B. Application for an Improvement Location Permit: All applications for Improvement Location Permits shall be accompanied by:
- a. The common address for subject property and parcel number,
 - b. A site location map showing context around subject property (aerial or USGS maps are preferred),
 - c. Plans drawn to scale showing the actual dimensions and shape of the lot to be built upon,
 - d. The exact sizes and locations of all buildings, wells, and septic systems already existing, if any,
 - e. The location and dimensions of the proposed building(s) or alteration,
 - f. Building setback distances from all property lines, and from existing and proposed road right of ways,
 - g. Elevations of all sides of proposed buildings,
 - h. Location of floodplain boundaries or wetlands, and
 - i. Drainage outlets.
- C. The application shall also include such other information as lawfully may be required by the Planning Commission or Zoning Administrator to determine conformance with and provide for the enforcement of this ordinance including but not limited to:
- a. Elevations of the existing or proposed building or alteration,
 - b. Detailed description of the existing or proposed uses of the building and land,
 - c. The number of families, dwelling units, or rental units the building is designed to accommodate,
 - d. Natural, physical or hazardous conditions existing on the lot,
 - e. Landscape plan,
 - f. Lighting plan, and
 - g. Drainage plan.

The approved plans and application materials shall be retained by the Plan Commission or Zoning Administrator.

- D. Expiration of Permits:
- a. Initiation of Work: If the work described in any Improvement Location Permit has not begun within four (4) months from the date of issuance, said permit shall expire. No written notice shall be given to the persons affected.
 - b. Completion of Work: If the work described in any Improvement Location Permit has not been completed within two (2) years for a primary structure or one (1) year for accessory structures of the date of issuance thereof, said permit shall expire. No written notice of expiration shall be given to the persons affected. Work shall not proceed unless and until a new Improvement Location Permit has been obtained.
- E. The Zoning Administrator may give three (3) extensions for up to three (3) months each for work completion. Requests for extensions must be received within one (1) month of the expiration. A fee will be charged.
- F. Construction According to Permits and Permit Application: Improvement Location Permits issued on the basis of plans and applications only authorize the use, arrangement, and construction set forth in such approved plans and applications. Any other use, arrangement, or construction not authorized shall be deemed as a violation of this ordinance and subject to an order of removal, mitigation, or penalty fees.

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- G. On site port-o-lets and dumpsters. Rest room facilities (port-o-lets) and trash dumpsters with a capacity of not less than 30 cubic yards shall be required on all building sites for all new primary structures. These facilities shall be placed no closer than ten (10) feet from all property lines and shall not be placed within any drainage and/or utility easements. These facilities shall be placed on the building site prior to the initial footing inspection on the primary structure and removed from the site prior to the final inspection on a residential primary structure and ten (10) days after final inspection for commercial structures. All discarded construction materials shall be disposed of and/or placed in the dumpster facility.

14.4 Schedule of Improvement Location Permits

The Town of Cicero/Jackson Township hereby requires that an Improvement Location Permit/Building Permit be obtained for the following:

- a. All residential dwellings,
- b. Mini-barns over 120 square feet without a foundation; or any size with a foundation,
- c. Other detached residential accessory buildings (with foundation or overhead structures),
- d. Detached and attached garages, carports, and stables,
- e. Temporary structures,
- f. Signs,
- g. Swimming pools (inground or above ground),
- h. Alterations, modification, remodeling, or additions to all structures,
- i. Tents (commercial only),
- j. Demolition,
- k. All commercial, industrial, and institutional buildings,
- l. Structures other than buildings (including satellite dish, towers, antennas),
- m. Surface and subsurface drainage work (including land alteration but excluding agricultural uses),
- n. Street cuts,
- o. Curb cuts,
- p. Storm sewer hook-ups,
- q. Removal of trees and plants within buffer yards or landscaping required by this ordinance,
- r. Adding or subtracting dwelling units or leased space in multifamily or commercial structures,
- s. Placement or moving of manufactured or mobile homes,
- t. Parking lot construction, alteration, expansion, or removal, and paving of a gravel lot,
- u. Ponds or lakes,
- v. Mineral extraction,
- w. Telecommunication facilities,
- x. Any exterior construction that adds to or alters the height or building materials of the existing structure,
- y. Any change of use or expansion of use of property,
- z. Agricultural buildings shall apply for a permit. No fee will be charged except if the structure has plumbing, HVAC, its own electrical permit, office or recreational use, or any use not related to agricultural uses, and
- aa. All fences.

14.5 Certificate of Occupancy

It shall hereby be declared unlawful and in violation of the provisions of this ordinance for any builder or property owner to allow any new or significantly remodeled structure to become occupied or utilized prior to:

- a. Legally obtaining an Improvement Location Permit/Building Permit,
- b. Passing a final inspection; and
- c. Receiving an Certificate of Occupancy Permit from the Zoning Administrator.

14.6 Schedule of Fees

The Town Council shall maintain an official Fees Schedule for permits and processes outlined in this Ordinance. Penalties, collection procedures for permits and penalties, appeals process, and other petition processes pertaining to this Ordinance are considered a part of this Ordinance. The Fees Schedule shall be available to the public in the office of the Clerk-Treasurer and the Zoning Administrator. The Fees Schedule may be amended by a recommendation submitted to the Town Council by the Planning Commission followed by the Town Council approving said amendments by resolution.

Until all applicable fees, charges, and expenses have been paid in full, no final action shall be taken on any permit application, appeal, or petition.

Any person or persons who shall initiate construction of a structure or change of use of structure or property prior to obtaining an Improvement Location Permit/Building Permit or any Plan Commission or BZA reviews and approvals or any other required permit shall pay up to three times the amount of the normal permit fee. First (1st) offence - 1 1/2 times the regular fee. Second (2nd) - 2 times the regular fee. Third (3rd) offence - 3 times the regular fee.

14.7 Filing Fees

Applications and petitions filed pursuant to the provisions of this Ordinance shall be accompanied by the filing fees hereafter specified, and shall be paid to the Town of Cicero and collected by the Department of Planning and Building.

A. Zoning Fees

a. Minor Subdivision

1. Conceptual Plan	\$50.00	
2. Primary Plat	\$150.00	
3. Construction Plans	\$100.00	
4. Final Plat	\$75.00	
5. Amendment/Re-plat	\$100.00	
6. Variance/Waiver	\$50.00	per Section of Ordinance

b. Minor Subdivision

1. Sketch Plan	\$125.00	plus \$3.00 per lot
2. Primary Plan	\$225.00	plus \$10.00 per lot
3. Construction Plans	\$200.00	
4. Secondary/Final Plan	\$150.00	
5. Amendment/Re-plat	\$100.00	
6. Variance/Waiver	\$50.00	per Section of Ordinance

c. Re-zoning

1. Zoning Ordinance Amendment (text or map)	\$350.00	
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d. Development Standards Variance \$125.00 plus \$25.00 for each additional Section of Zoning Ordinance Varied.

e. Land Use Variance \$300.00

f. Renewal Variance \$75.00 each renewal

g. Special Exceptions

1. Residential	\$150.00	
2. Other	\$300.00	
3. Amendment	\$100.00	

h. Development Plan		
1. Original Development Plan	\$400.00	plus \$10.00 per acre
2. Amendment	\$150.00	
i. Appeal	\$50.00	
j. Aesthetic Review Overlay District		
1. Original Plans	\$200.00	plus \$10.00 per acre
2. Amendment	\$100.00	
k. Horizontal Property		
1. Initial Plans	\$250.00	
2. Amendment	\$100.00	
l. Mobile Home Parks	\$225.00	plus \$15.00 per mobile home space
1. Change or addition	\$100.00	
B. Improvement Location Permit Fees		
Filing, inspections and Certificates of Occupancy. (C of O's)		
Certificates of Compliance (C of C)		
a. Single Family Dwelling	\$175.00	plus \$0.06 sq. ft. over 586 sq. ft. plus \$25.00 for the C/O. (covered porches, garages, basements, attics with access and stairways.)
b. Two-family Dwelling	\$250.00	plus \$0.06 per total sq. ft. plus \$50.00 for the C/O.
c. Multi-family Dwelling (of any construction type or ownership classification)	\$125.00	plus \$85.00 per unit plus \$25.00 per unit \$25.00 for the C/O.
d. Dwelling additions	\$150.00	plus \$0.06 per sq. ft. plus \$25.00 for the C/O.
e. Dwelling remodels	\$100.00	plus \$0.06 per sq. ft. plus \$25.00 for the C/O.
f. Detached Garage (pole barns, hobby farm buildings, personal stables, carports, storage buildings and other accessory buildings without HVAC, interior partitions, second floor area, offices, stairs, plumbing and structures except swimming pools and spas.)	\$125.00	plus \$0.06 sq. ft. over 586 sq. ft. plus \$25.00 for the C/O.
1. With HVAC, interior partitions, second floor area, offices, stairs and plumbing.	\$165.00	plus \$0.06 sq. ft. over 586 sq. ft. plus \$25.00 for the C/O.
g. Decks, porches, gazebo, etc.	\$65.00	plus \$0.03 sq. ft. over 150 sq. ft. plus \$25.00 for the C/O.

h. Temporary Structures (construction trailers, subdivision sales structures)	\$150.00 \$75.00	first year each additional year
i. Moving a Structure onto a Different Location on the Same Parcel		
1. Residential	\$75.00	
2. Other	\$150.00	
j. Specific Structural Modification (Replacing foundations, etc.)		
1. Residential	\$60.00	
2. Other	\$125.00	
k. Electrical Permits		
1. Residential	\$55.00	
2. Commercial, Institutional, Other	\$75.00	
l. Fences	\$65.00	
m. Ponds		
1. Residential/Farm/ Commercial, etc.	\$65.00	
n. Swimming Pools/Spas		
1. Residential	\$85.00	plus \$0.05 sq. ft. pool and deck/patio/ walkway are plus \$25.00 for the C/O.
2. Other	\$150.00	plus \$0.05 sq. ft. pool, deck/patio/walk way area plus \$50.00 for the C/O.
o. Home Occupations	\$65.00	
p. Temporary (6 months Max.) Road Side Sales		
1. Business and/or building including tents	\$75.00	plus \$25.00 for the C/O.
q. Certificates of Occupancy/Compliance		
1. Residential	\$25.00	
2. Commercial, Industrial, Institutional, etc.	\$50.00	
r. Demolition		
1. Residential	\$75.00	
2. Other	\$125.00	
s. Commercial (including agricultural confinement feeding operations), Industrial, Institutional	\$300.00	plus \$0.10 sq. ft. plus \$50.00 for the C/O
t. Commercial, Industrial, Institutional		
1. Accessory buildings	\$150.00	plus \$0.10 sq. ft. plus \$50.00 for the C/O
u. Commercial, Industrial, Institutional		
1. Additions/remodeling	\$150.00	plus \$0.10 sq. ft. plus \$50.00 for the C/O

v. Parking Lots - Commercial, Institutional, Other	\$100.00	
w. Change of Use	\$65.00	
x. Improvement Location Permit Commercial, Industrial, Institutional, Subdivisions, P.U.D., etc.	\$100.00	plus \$5.00 per acre
y. Any submitted applications that are amended or changed after a filing number or docket number has been issued	\$35.00	
z. All Inspections and Re-inspections		
1. Residential	\$40.00	
2. Commercial, Industrial, Institutional, other	\$75.00	
aa. Timed Inspections	\$40.00	
In addition to other inspection fees		
bb. Permit Time Extensions		
1. 1-3 months	\$40.00	
2. 4-6 months	\$80.00	
3. 6-9 months	\$120.00	
4. 10-12 months	\$160.00	

(Fees for initial inspections are included in the cost of the Improvement Location Permit fees.)

C. Inspections (Additional)

a. Footing and under-slab plumbing:		
1. Residential	\$40.00	per inspection
2. Commercial/Industrial/Other	\$75.00	per inspection
b. Electrical - New meter base, meter base relocation and panel upgrades:		
1. Residential	\$40.00	per inspection
2. Commercial/Industrial/Other	\$75.00	per inspection
c. Rough-in (electrical, plumbing, heating and air conditioning):		
1. Residential	\$40.00	per inspection
2. Commercial/Industrial/Other	\$75.00	per inspection
d. Final structure:		
1. Residential	\$40.00	per inspection
2. Commercial/Industrial/Other	\$75.00	per inspection
e. Final site:		
1. Residential	\$40.00	per inspection
2. Commercial/Industrial/Other	\$75.00	per inspection
f. All Other Inspections:		
1. Residential	\$40.00	per inspection
2. Commercial/Industrial/Other	\$75.00	per inspection

- g. Missed inspections
 - 1. Per each project.

1st	\$75.00	
2nd	\$150.00	
3rd or more	\$250.00	each
 - 2. Same company or individual - additional projects

1st	\$150.00	
2nd or more	\$300.00	each
- h. Occupying or using any structure or part of a structure or fixture prior to a Certificate of Occupancy/Compliance being issued.
 - 1. Per each project. \$250.00
 - 2. Same company or individual - additional projects.

1st	\$150.00
2nd	\$400.00

D. Permit Time Limits

- a. Initiation of Work: If the work described in any building permit or Improvement Location Permit has not begun within three (3) months from the date of issuance, said permit shall expire; no written notice shall be given to the persons affected.
- b. Completion of Work: If the work described in any Improvement Location Permit has not been completed within 18 months of the date of issuance thereof for primary structures and nine (9) months for accessory structures, said permit shall expire; no written notice of expiration shall be given to the persons affected. Work shall not proceed unless and until a new Improvement Location Permit has been obtained and inspections completed.

E. Exemptions for Fees

The listed fees are waived for all Town of Cicero and Jackson Township Government Buildings and Public Library Buildings.

14.8 Appeal

Any person may appeal any decision of the Director of the Planning Commission or anyone acting under his supervision in the enforcement of this Chapter of the Code to the Town of Cicero Town Council.

