

Park Fee Code Change (Chapter 148 Department of Planning and Development)

148.12 FEES.

(a) Council shall by ordinance establish and annually adjust fees for all types of applications, permits and other specialized services provided by the Department of Planning and Development, which includes the Division of Building and Zoning, and such document shall be referred to as the "Development Fee Schedule". All fees are for the purpose of defraying the costs of preparing necessary maps, plats, reports, analyses, administration, legislation, notices, acquiring data, conducting surveys and other related work. The fee in effect on the date of receipt of any application shall be the fee charged; provided, however, the owners of all tax abated properties, irrespective of the date the initial application for abatement was filed, are subject to the annual fee outlined in the development fee schedule commencing in calendar year 2009.

(b) Any person desiring to do or cause to be done anything for which a fee is required by the Development Fee Schedule, shall upon application or prior to issuance pay to the Department through the cashier the fee prescribed by the then current Development Fee Schedule. The Development Fee Schedule shall be posted in the offices of the Department and shall be made available upon request. (Ord. 0109-2009. Passed 5-18-09.)

(c) Park Fee. A park fee shall be paid to the City by the developer of single family, two family, multi-family, which includes apartments, condominiums, and townhomes; extended stay hotels, family care homes, and independent senior living facilities.

Such park fee shall be as established in the Development Fee Schedule set forth in Section 148.12 in Part One of these Codified Ordinances. Such fee shall be collected prior to issuance of a certificate of occupancy and deposited in a special fund entitled Park Fund.

Such funds shall be expanded by the City for the improvement of recreational facilities within existing publicly owned and operated park facilities and the purchase of recreational equipment. Such funds shall not be used for the maintenance and operation expenses incurred by the Parks Department in the daily operation of park facilities.

148.13 FEES; EXEMPTIONS.

(a) The Municipality of Gahanna, shall be exempt from fees in the development fee schedule, but must nevertheless secure the appropriate permits, file appropriate applications, and submit to inspections. This exemption shall not apply to fees that are paid to or shared with non-City employees under contract, by Code, or by Ordinance. This exemption shall also not apply to the fees required for portions of private structures utilized by the Municipality of Gahanna. Fees shall be charged for the areas of buildings owned by the Municipality of

Gahanna that are not used exclusively by the Municipality in accordance with the fees established in the development fee schedule.

(b) Bona fide corporations not-for-profit, upon written request to Council, and upon approval by Council, shall be exempt from fees in the development fee schedule, but must nevertheless secure the appropriate permits, file appropriate applications, and submit to inspections. This exemption shall not apply to fees that are paid to or shared with non-City employees under contract, by Code, or by Ordinance.

(c) Individuals or corporations claiming a hardship, upon written request to Council for a waiver or reduction of fees, and upon approval by Council, shall be exempt from or shall receive the approved reduction in the applicable fees in the development fee schedule, but must nevertheless secure the appropriate permits, file appropriate applications, and submit to inspections. This exemption shall not apply to fees that are paid to or shared with non-City employees under contract, by Code, or by Ordinance.

(Ord. 0014-2011. Passed 2-7-11.)

148.14 FEES; REFUNDS.

(a) All fees as enumerated in the development fee schedule are non-refundable except as otherwise denoted in this section.

(b) A refund shall require a refund fee to cover the cost of making the refund and/or costs incurred. This refund fee shall be deducted from any amount to be refunded.

(c) An overpayment equal to or less than the refund fee shall be considered the refund fee and shall be added to the permit fee.

(d) Any refund of a permit application fee submitted for land, which is later determined to be located outside the city is subject to a refund fee.

(e) The Director of Planning and Development may waive the refund fee upon determination that the refund is necessary due to an error on the part of a city employee.

(f) The Director of Planning and Development shall not refund a fee upon determination that the refund is necessary due to an error on the part of an applicant.

(Ord. 0120-2007. Passed 6-18-07.)