

TITLE 20

MISCELLANEOUS

CHAPTER

1. CHARGES FOR ENGINEERING FEES.

CHAPTER 1

CHARGES FOR ENGINEERING FEES

SECTION

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20-101. Oversight and project site inspection charges. (1) All owners, developers and/or applicants, individually or by their authorized agents, employees or servants, seeking municipal approval for any proposed development/improvement of land by subdivision, planned unit developments, site plans, landscape plans, special exceptions and/or variances approved by the board of zoning appeals, use changes, sketch plans, preliminary plats, final plats, construction plans, grading plans, wastewater treatment facility plans, and all matters which require established sums for performance bonding, dedication of easements, and facilities/structures associated with the foregoing, shall be responsible for any and all reimbursement of charges to the Town of Pegram, Tennessee for all actual review charges levied, including but not limited to engineering review, engineering oversight and project site inspection charges/fees assessed by the town engineer, his agent, employee or appointed designee, by the town attorney, and/or by any other designated consultant rendering services ancillary to the foregoing for and on behalf of the municipality, wherein said charges/fees are incurred by the said town by virtue of and as relates to the foregoing.

(2) All actual charges to be reimbursed to the municipality shall be paid within fifteen (15) days from the date of billing by the municipality. In the event said reimbursement charges are not paid timely, any permit issued or approval before given shall become void and default may be declared upon any performance bonding posted with the town. (Ord. #1999-7, July 1999, as replaced by Ord. #2004-17, Jan. 2005)

20-102. Fee schedule. In addition to the actual charges incurred and notwithstanding all of the foregoing, certain charges shall be due and paid at the time application is made to the Town of Pegram or its municipal planning commission as a base minimum, all of which shall be set forth and adopted by resolution by the board of mayor and aldermen. Not until payment in full of the applicable fee(s) is made to the town, in the sums set forth according to the said fee schedule, shall any permit issue or application be considered by the planning commission. Said fee schedule shall set any and all exemption payments of fees and shall be revised from time to time, as is necessary, by further resolution passed by the board of mayor and aldermen. (as added by Ord. #2004-17, Jan. 2005)

20-103. Violations and penalties. (1) Whenever a permit is required and work has started or proceeded prior to obtaining the required permit(s), the fees set forth in the fee schedule shall double and a stop work order shall issue.

(2) Failure to comply with a stop work order shall result in a finding of guilt rendered by the town court with a punishment to include but not be limited to a fine of not more than fifty dollars (\$50.00) per offense. Each day that a violation continues shall be considered a separate offense and an additional violation. Such fine is intended to be remedial in nature for the purpose of deterrence and to protect the public health, safety and welfare of the residents of Pegram. Subsequent compliance shall result in a reduction and/or elimination of the imposed fine.

(3) The building inspector shall be the person authorized to issue all permits and is hereby authorized to issue any necessary stop work orders for the failure to secure a proper permit and/or for failure to pay the proper fee(s). (as added by Ord. #2004-17, Jan. 2005)

20-104. Purpose. This chapter is not deemed to be a tax, but instead is intended to offset actual incurred expenses of the municipality for an owner, developer and/or applicant seeking development of land and improvement of lands within the municipality. (as added by Ord. #2004-17, Jan. 2005)

20-105. Conflict of interest. It is and shall constitute a conflict of interest for the town engineer and/or town attorney to perform any service on behalf of an owner, developer and/or applicant as described herein, and all services performed by the town engineer and/or town attorney as relates to the foregoing chapters shall be deemed rendered solely for and on behalf of the Town of Pegram. (as added by Ord. #2004-17, Jan. 2005)