

PUBLIC HEARING of the Burrillville Town Council held Wednesday, March 11, 2009 at 7:00 P.M. in the Town Council Chamber, Town Building, 105 Harrisville Main St, Harrisville, RI, for and within the Town of Burrillville.

PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville

MEMBERS ABSENT: None

Relative to considering and acting on the following proposed changes to the Revised General Ordinances, Town of Burrillville, RI, 2004, Chapter 6 entitled Buildings and Building Regulations is hereby amended by repealing §6-2. Building Permit in its entirety and replacing it with the following: Sec. 6-2. Building Permit

NOTE: The notice of hearing was advertised in the legal section of the Woonsocket Call on Monday, March 9, 2009.

1. Comments/Input/Recommendation from the Ordinance Subcommittee

Councilor Margaret L. Dudley, Chair, Ordinance Subcommittee, reported that §6-2. Building Permit had not been reviewed in approximately 20 years. The proposal, she said, provided greater

detail and included increased fees. Councilor Dudley said that the Ordinance Subcommittee recommended passage.

2. Comments/Input/Recommendations by the Administration (Town Solicitor, Town Manager, Administrative Staff)

Michael C. Wood, Town Manager, commented that the proposed fees would provide revenues to offset expenses related to department operation.

Walter J. Kane, Assistant Town Solicitor, indicated that he had reviewed the proposal. Mr. Kane suggested that, if the Town Council chose to adopt the amendments, he would recommend some minor changes to clarify the proposal. Mr. Kane distributed the revised proposal and reviewed the changes.

3. Proponents: None

4. Opponents: None

5. VOTED to close the public hearing.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville. The motion carried, six in favor, one abstention. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, Kevin D. Heike, John M.

Karmozyn, Jr. and Norman C. Mainville. Councilor Kevin M. Blais abstained.

6. Town Council Members Comments/Input/Deliberation

Councilor Norman C. Mainville suggested that, since the ordinance had not been updated in many years, the proposed changes appeared acceptable. Council President Nancy F. Binns noted that the proposal was reasonable.

7. VOTED to adopt amendments to the Revised General Ordinances, Town of Burrillville, RI, 2004, Chapter 6 entitled Buildings and Building Regulations by repealing §6-2. Building Permit in its entirety and replacing it with the following: Sec. 6-2. Building Permit, with the amended recommendation of the Solicitor: that 1) the word “current” be deleted and that “valuation for building permit fees for the residential constructions are based on the following” be added, as follows:

The Town Council of the Town of Burrillville hereby ordains as follows:

The Burrillville Code of Ordinances, Chapter 6 entitled Buildings and Building Regulations is hereby amended by repealing §6-2. Building Permit in its entirety and replacing it with the following:

Sec. 6-2. Building Permit

a) Permit Required:

It shall be unlawful to construct, enlarge, alter, remove or demolish a building, or change the occupancy of a building from one use group as defined in the State Building Code to another, or to install or alter any equipment for which provision is made or the installation of which is regulated by said Building Code, without first filing an application with the Building Official in writing and obtaining the required permit therefor.

b) Application:

Any owner, or agent of the owner, contemplating any of the above work regulated by the Building Code, shall make application for a permit, on the proper forms in the office of the Building Official. No permit shall be issued for new construction, alteration, removal, demolition or other building operation until the application has been received and approved by the Building Official. The application shall be accompanied by the required fees as set forth in subsection (f) hereunder. All fees are payable to the Town and shall be transmitted by the Building Official to the Town Treasurer.

c) Expiration of Permit:

Any permit issued shall become invalid unless the work authorized by it shall have been commenced within six (6) months after it's issuance, or if the work authorized by the permit is suspended or abandoned, for a period of six (6) months after the time the work is

commenced; provided that, for cause, an extension of time for a period not exceeding ninety (90) days has not been granted. All extensions must be in writing and signed by the Building Official. For purposes of this section, any permit issued shall not be considered invalid if the suspension or abandonment is due to a Court Order prohibiting the work as authorized by the permit.

d) Report to Assessors:

The Building Official shall give to the Town Tax Assessor written notice of the granting of permits for the construction of any buildings, or for the removal or demolition or for any substantial alteration thereto. The notice shall be given within thirty (30) days after the granting of each permit and shall state the name of the person to whom the permit was granted and the location of the building to be constructed, altered, demolished or removed.

e) Revocation of Permits:

The Building Official may revoke any permit or approval issued under the provisions of this code in the event that the granting of the permit or approval was based upon statements which prove to be false or based on misrepresentation of fact. The revocation of a permit shall be made by the Building Official to the applicant in writing, by Certified Mail, stating the reasons for such action.

f) Permit Fees:

1) Permit fees are based on valuation of construction costs. Total value of the work being permitted is derived from the value of the materials and labor necessary to complete the project. Valuation for building permit fees for residential construction are based on the following:

One and Two Family Dwelling/Addition \$70 per sq/ft

Finished Basement \$40 per sq/ft

Enclosed Porches/Three-Season Room \$30 per sq/ft

Uncovered Decks \$12 per sq/ft

Porches \$15 per sq/ft

Unfinished Basement/Storage \$12 per sq/ft

Garages \$35 per sq/ft

Sheds/Accessory Structures \$15 per sq/ft

Installations: (flat fee, as follows)

Re-Roofing Residence/Accessory Structure \$60 flat fee

Re-Siding Residence/Accessory Structure \$60 flat fee

Swimming Pools (Inground) \$125 flat fee

Swimming Pools (Above-ground) \$75 flat fee

Fencing \$25 flat fee

Demolition: (flat fee, as follows)

Residence \$50 flat fee

Accessory Structure \$25 flat fee

Relocation: (flat fee, as follows)

Residence (same lot) \$50 flat fee

Residence (to new lot) \$100 flat fee

Accessory Structure \$25 flat fee

2) Valuation for building permit fees for commercial construction are based on the following:

Commercial/Industrial Structures:

Up to 25,000 sq/ft \$50 per sq/ft

25,001 to 50,000 sq/ft \$60 per sq/ft

In excess of 50,000 sq/ft \$100 per sq/ft

Reconstruction of Existing Space \$20 per sq/ft

Demolition: (flat fee, as follows)

Up to 25,000 cu/ft \$50 flat fee

25,001 to 100,000 cu/ft \$100 flat fee

Greater than 100,000 cu/ft \$200 flat fee

Valuation Fee

-0- to \$1,000 \$25.00

\$1,001 to \$10,000 \$25.00 plus additional ten (10) dollars per thousand or portion thereof.

\$10,001 to \$100,000 \$115.00 plus additional seven (7) dollars per thousand or portion thereof.

\$100,001 to \$500.000 \$745.00 plus additional five (5) dollars per

thousand or portion thereof.

\$500,001 and above \$2,745.00 plus additional three (3) dollars per thousand or portion thereof.

3) Plumbing Permit Fees:

Valuation Fee

-0- to \$1,000 \$25.00

\$1,001 and above \$25.00 plus additional ten (10) dollars per thousand or portion thereof

4) Mechanical Permit Fees:

Same schedule as Plumbing Permit fees

5) Electrical Permit Fees:

Same schedule as Plumbing Permit fees

6) Demolition Permit Fees:

Same schedule as Building Permit fees

7) Certificate of Use and Occupancy:

\$30.00 flat fee

8) Re-inspection Fees:

\$30.00 flat fee

9) Radon Fees:

Per R.I.G.L. as amended

10) C.E./A.D.A. Fees:

Per R.I.G.L. as amended

g) Late Filing Fees:

In the event that an owner, or agent of the owner, files an application for a required permit after work has commenced on the project, an administrative fee equal to the cost of the applicable fee for the same may be applied to cover the Administrative costs incurred in bringing the project into compliance with Chapter Six of the Revised General Ordinance of the Town of Burrillville.

This ordinance shall take effect 10 days after passage.

Adopted this 11th day of March 2009

Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The motion carried, six in favor, one abstention. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, Kevin D. Heike, John M. Karmozyn, Jr. and Norman C. Mainville. Councilor Kevin M. Blais abstained.

8. VOTED to adjourn at 7:08 P.M.

Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr.

Councilor Kevin M. Blais asked that the record reflect that he did not participate in the vote due to his hearing loss and the instructions of his doctor prohibiting the use of any hearing devices.

The motion carried, six in favor, one abstention. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, Kevin D. Heike, John M. Karmozyn, Jr. and Norman C. Mainville. Councilor Kevin M. Blais abstained.

The hearing was taped. The tape is on file with the record of the hearing.

Louise R. Phaneuf, Town Clerk