

ORDINANCE NO. 23 - 9

**AN ORDINANCE AMENDING SECTIONS 3-4-113 (e)(4), 3-4-136, AND 3-4-137(e)-(h)
OF THE CODE OF HENRY COUNTY SETTING FORTH A NEW FEE SCHEDULE
FOR THE HENRY COUNTY FIRE RESCUE**

WHEREAS, on July 18, 2023, Henry County Board of Commissioners passed Resolution No. 23-188 to increase the permitting fee schedules for Fire Rescue, and

WHEREAS, Resolution No. 23-188 did not properly increase all of Fire Rescue's fees for permitting, inspections, and services fees, and

WHEREAS, Section 3-4-113 (e) (4) of the Code of Henry County provides as follows:

(4) Domestic or commercial burning is otherwise permitted between the months of October and April extending from, up to and including, October through April 30, and is prohibited at all other times. During such October 1 through April 30 time period, a "commercial" burning permit shall be issued upon request, authorizing burning under paragraph (c). A fee of one hundred dollars (\$100.00) shall be assessed for all "commercial" burning permits.

WHEREAS, Section 3-4-136 of the Code of Henry County provides as follows:

(a) *Fire department plan review—Construction, expansion permit fee.* There shall be a permit fee for the construction or for the expansion of every building in the county. Permits required by this Code shall be obtained from the fire official. Permit fees shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designed therein at all times and shall be readily available for inspection by the fire official. Said permit fees shall be calculated at following rate:

Up to 10,000 square feet\$150.00

10,001—30,000 square feet, per square foot\$0.10

30,001—100,000 square feet, per square foot\$0.05

100,001—500,000 square feet, per square foot\$0.03

500,001 square feet and up, per square foot\$0.015

Eighty (80) percent or cover up inspection, one hundred (100) percent or final inspection, and first follow-up inspection will be allowed under the construction permit with no additional charge. Sprinkler system and alarm system permit fee. There shall be a permit fee for a sprinkler system or alarm system being installed

in buildings in the county, and said permit fee shall be calculated at following rate:

- Up to 10,000 square feet\$150.00
- 10,001 to 30,000 square feet\$200.00
- 30,001 to 100,000 square feet\$250.00
- 100,001 to 500,000 square feet\$300.00
- 500,001 square feet and up\$350.00

(b) *Minimum fees.* The following minimum fees shall be charged for the specific permits and services listed herein, notwithstanding the figure derived from the calculation provided by subsection (c)(1) and (3) of this section.

- (1) Second re-inspection\$100.00
- (2) Third re-inspection\$200.00
- (3) Subsequent follow-up (new or annual)\$200.00
- (4) Special event inspection/permit\$150.00
- (5) Commercial hood plan review and inspection\$100.00
- (6) Site plan review and inspection\$100.00
- (7) Change of occupancy or occupation tax inspection (business license)\$100.00
- (8) Name change or replacement of occupation certificate\$25.00
- (9) Blasting permit\$100.00
- (10) Installation or removal of underground fuel tanks\$100.00
- (11) Fireworks permit\$100.00
- (12) Administrative variance fee\$75.00
- (13) Returned for insufficient funds check fee\$35.00
- (14) Temporary certification of occupancy (TCO)\$50.00

(15) After hours inspection, per hour\$75.00

(c) *There will be no charge for annual inspections.* There will be no charge for the first follow-up inspection. Re-inspection fees will automatically be assessed on all second and third re-inspections.

(1) If during a re-inspection, a code violation is noted that was not listed as part of the original violation(s), a re-inspection fee will not be assessed for the newly cited code violation(s). Any newly cited code violation discovered at the time of re-inspection will be considered a first-time violation and will restart the re-inspection fee process.

(2) Re-inspection fees shall apply to all project plans which are re-submitted prior to addressing all red-line comments made by the fire marshal or designee.

(3) Project plans submitted with multiple revisions will be assessed a new fire department plan review fee. A complete updated set of plans shall be submitted for fire department review upon the request of the fire marshal or designee.

WHEREAS, Section 3-4-137 (e)-(h) of the Code of Henry County provides as follows:

(e) Whereby extra-duty fire personnel or an approved fire watch is required; the owner, agent, or lessee shall employ one (1) or more qualified persons, as required and approved by the AHJ to be on duty. Fire personnel shall be compensated at a rate of thirty-five dollars (\$35.00) per hour for a minimum of four (4) hours.

(f) The cost of extra-duty and fire watch personnel shall be at no cost to the fire department.

(g) The fire department shall be authorized to establish and collect fees to recover the costs for equipment, supplies, and personnel affiliated with fire or medical services extra-duty assignments, fire watch, and similar services, beyond the normal scope of emergency operations. The fire chief will have the capability to change the rate of employment and equipment cost.

(h) Procurement and distribution of fire department apparatus will be at the rate of:

- Rescue - Fifty-five dollars (\$55.00) per hour.
- Brush truck - Seventy-five dollars (\$75.00) per hour.
- Engine - One hundred dollars (\$100.00) per hour.
- Ladder - One hundred seventy-five (\$175.00) per hour.

WHEREAS, Sections 3-4-113(e)(4), 3-4-136, and 3-4-137 (e)–(h) sets forth the permitting, inspections, and services fees for permitting, inspections, and services provided by Henry County Fire Rescue; and

WHEREAS, Henry County Fire Rescue last amended the permitting, inspections, and services fees in 2016; and

WHEREAS, Henry County Fire Rescue's staff has reviewed the current fee schedule to determine if the fees reflect the value of the services provided and conducted comparison with surrounding jurisdictions; and

WHEREAS, Henry County Fire Rescue's staff recommends amending the language and fee schedule in Sections 3-4-113(e)(4), 3-4-136, and 3-4-137 (e)–(h) in an effort to allow the department to continue its ongoing goal of education, training, and retention of qualified personnel; and

WHEREAS, Henry County Fire Rescue's staff wish to amend the current fees in a manner not detrimental to builders, contractors, developers, and owners alike and give the Board of Commissioners authority to modify and adopt a fee schedule; and

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of Henry County:

I.

Ordinance Sections 3-4-113(e)(4), 3-4-136, and 3-4-137 (e)–(h) of the Henry County Code be amended and read as follows:

Section 3-4-113 (e) (4) Domestic or commercial burning is otherwise permitted between the months of October and April extending from, up to and including, October through April 30, and is prohibited at all other times. During such October 1 through April 30 time period, a "commercial" burning permit shall be issued upon request, authorizing burning under paragraph (c). A fee of ~~one hundred dollars (\$100.00)~~ shall be assessed for all "commercial" burning permits **as prescribed by the Board of Commissioners.**

WHEREAS, Section 3-4-136 of the Code of Henry County provides as follows:

- (b) *Fire department plan review—Construction, expansion permit fee.* There shall be a permit fee for the construction or for the expansion of every building in the county. Permits required by this Code shall be obtained from the fire official. Permit fees shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designed therein at all times and shall be readily available for inspection by the fire official. Said permit fees shall be calculated at ~~following~~ **a rate prescribed by the Board of Commissioners:**

Up to 10,000 square feet\$150.00

~~10,001—30,000 square feet, per square foot\$0.10~~

~~30,001—100,000 square feet, per square foot\$0.05~~

~~100,001—500,000 square feet, per square foot\$0.03~~

~~500,001 square feet and up, per square foot\$0.015~~

- (c) Eighty (80) percent or cover up inspection, one hundred (100) percent or final inspection, and first follow-up inspection will be allowed under the construction permit with no additional charge. Sprinkler system and alarm system permit fee. There shall be a permit fee for a sprinkler system or alarm system being installed in buildings in the county, and said permit fee shall be calculated at a rate **prescribed by the Board of Commissioners**:

~~Up to 10,000 square feet\$150.00~~

~~10,001 to 30,000 square feet\$200.00~~

~~30,001 to 100,000 square feet\$250.00~~

~~100,001 to 500,000 square feet\$300.00~~

~~500,001 square feet and up\$350.00~~

- (b) *Minimum fees.* The following minimum fees at a rate **prescribed by the Board of Commissioners**, shall be charged for the specific permits and services listed

- (1) Second re-inspection\$100.00
- (2) Third re-inspection\$200.00
- (3) Subsequent follow-up (new or annual)\$200.00
- (4) Special event inspection/permit\$150.00
- (5) Commercial hood plan review and inspection\$100.00
- (6) Site plan review and inspection\$100.00
- (7) Change of occupancy or occupation tax inspection (business license)\$100.00
- (8) Name change or replacement of occupation certificate\$25.00
- (9) Blasting permit\$100.00

(10) Installation or removal of underground fuel tanks\$100.00

(11) Fireworks permit\$100.00

(12) Administrative variance fee\$75.00

(13) Returned for insufficient funds check fee\$35.00

(14) Temporary certification of occupancy (TCO)\$50.00

(15) After hours inspection, per hour\$75.00

(c) *There will be no charge for annual inspections.* There will be no charge for the first follow-up inspection. Re-inspection fees will automatically be assessed on all second and third re-inspections.

(1) If during a re-inspection, a code violation is noted that was not listed as part of the original violation(s), a re-inspection fee will not be assessed for the newly cited code violation(s). Any newly cited code violation discovered at the time of re-inspection will be considered a first-time violation and will restart the re-inspection fee process.

(2) Re-inspection fees shall apply to all project plans which are re-submitted prior to addressing all red-line comments made by the fire marshal or designee.

(3) Project plans submitted with multiple revisions will be assessed a new fire department plan review fee. A complete updated set of plans shall be submitted for fire department review upon the request of the fire marshal or designee.

WHEREAS, Section 3-4-137 (e)-(h) of the Code of Henry County provides as follows:

(e) Whereby extra-duty fire personnel or an approved fire watch is required; the owner, agent, or lessee shall employ one (1) or more qualified persons, as required and approved by the AHJ to be on duty. Fire personnel shall be compensated at a rate **prescribed by the Board of Commissioners.**

(f) The cost of extra-duty and fire watch personnel shall be at no cost to the fire department.

(g) The fire department shall be authorized to establish and collect fees to recover the costs for equipment, supplies, and personnel affiliated with fire or medical services extra-duty assignments, fire watch, and similar services, beyond the normal scope of emergency operations. The fire chief will have the capability to change the rate of employment and equipment cost.

(h) Procurement and distribution of fire department apparatus will be at the rate at prescribed by the Board of Commissioners for the following:

- Rescue - ~~Fifty-five dollars (\$55.00)~~ rate per hour.
- Brush truck - ~~Seventy-five dollars (\$75.00)~~ rate per hour.
- Engine - ~~One hundred dollars (\$100.00)~~ rate per hour.
- Ladder - ~~One hundred seventy-five (\$175.00)~~ rate per hour.

II.

This ordinance shall take effect and be in force from and after the date of its adoption, the public welfare demanding it.

III.

The Board of Commissioners prescribes that Resolution No. 23-188 be rescinded.

IV.

The Board of Commissioners prescribes the Henry County Fire Rescue permitting, inspection, and service fee schedule, set forth in Exhibit "A."

BE IT SO ORDAINED, this 14 day of August 2023.

**BOARD OF COMMISSIONERS OF HENRY
COUNTY, GEORGIA**



Carlotta Harrell, Chair

ATTEST:



Stephanie Braun, County Clerk of Commissioners



HENRY COUNTY FIRE RESCUE

Jonathan Burnette, Fire Chief

Fire Department Fire, Safety, and Accessibility Fee Schedule

Fire Plan Review	
Construction, Expansion, or Modification Project	\$0.10 per square foot
Sprinkler System or Fire Alarm System	\$300.00 up to 100,000 square feet
	\$500.00 for 100,001 square feet and up
Miscellaneous Fees	
First follow-up inspection	No Charge
Second follow-up inspection	\$150.00
Third follow-up inspection	\$250.00
Every follow-up inspection after the third	\$300.00
Special Event inspection / Permit	\$200.00
Commercial Hood plan review and inspection	\$200.00
Change of occupancy / occupational tax inspection	\$150.00
Name change / replacement of Occupation Certificate	\$50.00
Blasting Permit (30 days)	\$500.00
Installation or removal of underground fuel tanks	\$300.00
Fireworks stand (CO)	\$500.00
Fireworks inspections and stand inspection	\$100.00



HENRY COUNTY FIRE RESCUE

Jonathan Burnette, Fire Chief

Fire Department Fire, Safety, and Accessibility Fee Schedule

Administrative Variance	\$250.00
Check Return Fee	\$50.00
Temporary Certificate of Occupancy (TCO)	\$150.00
Commercial Burn Permit	\$500.00
After Hours Inspection, minimum of 1 hour	\$150.00 per hour
Expedited Plan Review	\$1,500.00 + standard review fee
Expedited Inspection	\$1,000.00
Hot Work Operations	\$150.00
Site Plan Review & Inspection	\$200.00
Extra Duty Fire Watch	\$45 per hour/min of 4 Hours
Vehicle Procurement	Rescue - \$125.00 Per Hour Brush Truck - \$175 Per Hour Engine - \$200 Per Hour Ladder - \$275 Per Hour



HENRY COUNTY FIRE RESCUE

Jonathan Burnette, Fire Chief

Fire Department Fire, Safety, and Accessibility Fee Schedule

Notes & Additional Information
Eighty (80) percent or cover up inspection, one hundred (100) percent or final inspection, and first follow-up inspection are allowed under the initial permitting review fee with no additional charge.
No charge for annual inspections with the exception of follow-up inspections; follow-up inspections will adhere to the follow-up inspection fees indicated for construction projects.
If a new violations is found during a follow-up inspection that was not listed during the original inspection, no fee will be assessed.
Plans submitted that do not address all red-line markings and/or comments will not be reviewed.
Plan revisions will be assessed a new plan review fee in accordance with the adopted plan review fee schedule.

Henry County

EXECUTIVE SUMMARY

BOARD OF COMMISSIONERS MEETING

Meeting Date:

August 14, 2023

Department Requesting Agenda Item:

Fire Rescue

Action Type:

☒

Action requested by BOC

☐

For informational purposes only

Attachments/Exhibits for Agenda Item:

Proposed ordinance amendment and fee schedule updates for the fire department.

Presenter:

Jonathan Burnette, Fire Chief & Michael Black, Assistant Fire Chief

Agenda Item:

Ordinance amendment setting forth a new fee schedule for Henry County Fire Rescue

Background/Summary:

On July 18, 2023, Henry County Board of Commissioners passed Resolution No. 23-188 to increase the permitting fee schedules for Fire Rescue.

Resolution No. 23-188 did not properly increase all of Fire Rescue's fees for permitting, inspections, and services fees and therefore needs to be rescinded.

The current verbiage for the Fire Department's fee schedule can be found in section 3-4-136 of the Henry County Code of Ordinances. The manner in which this section is written mandates that any time the Fire Department needs to amend fees, an ordinance amendment is required.

The current fees are listed thereafter. However, this method of adoption means that an ordinance change is required every time the fees need to be updated. Therefore, our request is to not only update the fees, but also to amend the ordinance regulating the fees to be comparable to other fee schedules of the County.

The updated fees are attached as Exhibit A to the resolution.

Financial Implications/Considerations:

The project is budgeted.	Y	or	N	or	N/A
The project will require the use of Fund Balance. If yes, please state amount _____.	Y		or		N
The project will require funds.	Y		or		N
The project is grant funded and will require a _____% match; and the matched funds are budgeted.	Y		or		N
Is this request a Capital Project and part of the Capital Project List?	Y		or		N

Additional Comments / Recommendation:

The Henry County Fire Department recommends the Board of Commissioners approve this request to modify the existing ordinances as well as the updated fee schedule.

Exhibit A – updated fee schedule