

ORDINANCE NO. _____

HENRY COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO AMEND APPENDIX B, SECTION 103.7 OF THE UNIFIED LAND
DEVELOPMENT CODE (ULDC)**

WHEREAS, the Henry County Building department currently uses the International Code Council (ICC) valuation tables as the means for determining permit fees for new construction projects, and;

WHEREAS, in past years, some businesses/developers have expressed concerns over this methodology stating that this valuation method yields an unreasonably high permit fee, and;

WHEREAS, the Henry County Development Authority has also expressed concerns with the current method, and feels the sole reliance on the ICC valuation method detracts from the goal of making Henry County attractive to new companies, and;

WHEREAS, county staff has researched other jurisdictions and discovered a policy currently utilized by Coweta County that addresses this particular issue.

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT the Henry County Board of Commissioners hereby agrees to amend the Unified Land Development Code by adding Section 103.7.6: Procedure for contesting permit valuations relating to new construction, as follows:

103.7.6. Procedure for contesting permit valuations relating to new construction.

1. Building permits for new construction are determined by the square footage value established by the International Code Council for the group and type of construction as adopted by the Board of Commissioners.
2. If an applicant contests the valuation data provided by the most current International Code Council Construction Costs table, the applicant may contest such valuation by submitting at least two of the following documents to the Building Official for consideration:
3.
 - a. A copy of the turn-key contract for the construction project, supported by an affidavit as sworn to and executed by the owner and the contractor that the contract accurately reflects the true cost of the completed project;

- b. A bank approved appraisal, prepared no later than twelve months prior to the building permit application, or if no bank appraisal is available, a self-contained appraisal prepared by an appraiser approved by the Building Official at the applicant's expense; or
 - c. Another type of published National or International Valuation Data (other than the valuation data provided by the International Code Council) nationally recognized and used in other jurisdictions in the United States, supporting the value of the completed project.
3. If the Building Official finds that the alternative documentation supports the applicant's valuation of the completed project, then, with the approval of the County Manager, the building permit fee shall be recalculated based on the alternative valuation data as submitted by the applicant.
4. If the Building Official finds that the alternative documentation does not support the applicant's valuation of the completed project, then the Building Official shall deny the applicant's request and the original permit valuation as initially determined shall prevail. Any applicant aggrieved by any such denial, shall have the right to appeal to the Board of Commissioners pursuant to the appeal provisions as set forth in U.L.D.C. Section 12.04.00, et seq.
5. Any applicant who utilizes the procedure set forth herein to contest a permit valuation shall be ineligible to seek or receive building permit fee reductions or waivers under any other practice, policy or resolution of Henry County.
6. This process shall not be applicable to the calculation or assessment of impact fees.

BE IT SO RESOLVED, THIS 16th DAY OF JULY, 2013.

BOARD OF COMMISSIONERS
OF HENRY COUNTY, GEORGIA

Tommy N. Smith, Chairman

ATTEST:

Shay Mathis, County Clerk