

**TOWN OF EDEN  
LOCAL LAW NO. 1-2019**

**A Local Law Amending the Code of the Town of Eden  
Chapter 108 – Standard Schedule of Fees Law**

**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF EDEN AS FOLLOWS:**

SECTION 108-3 Town of Eden Standard Schedule of Fees shall be amended as follows:

1. Eliminate the existing **A. Residential** and add the following:

**A. Residential Permits**

Detached one and two-family dwellings:	\$100.00 plus \$.25 per square foot of construction, including attached garages, porches and decks.
All other residential dwellings (Apartments)	\$100.00 plus \$.20 per square foot of construction, including attached garages, porches and decks.
Dwelling Addition Permit	\$.25 per square foot of construction.
Accessory Buildings such as Garages, Barns and Sheds	\$.25 per square foot of construction
Accessory Structures such as Decks, Porches, TV Dishes, etc.	\$ 75.00
Alterations and Repairs	\$50 minimum/ \$.25 per square foot
Demolition	\$50.00 plus \$100.00 per 1000 square feet
Fence	\$ 50.00
Fireplace/Stove Permit	\$ 50.00 (Included with new dwelling Building permit.) Certificate of Compliance Required.
Swimming Pool Permit	\$ 50.00 above ground \$150.00 in ground (includes fence permit)
Pond Permit	\$250.00 (includes site plan review)

Certificate of Occupancy	No charge with unexpired building Permit. \$50.00 for expired permit or Moving in without Certificate of Occupancy.
Temporary Certificate of Occupancy	\$50.00
Certificate of Compliance	No Charge with expired permit (for Demolition, fences, swimming pools, etc. and accessory buildings)
Mobile Home Parks	\$ 10.00 per mobile home lot for initial license and annual renewal thereafter.  \$100.00 per each new mobile home or replacement

**Recreation Fees**

Major Subdivisions	\$750 per new dwelling unit payable upon final subdivision approval per the Sub-division Law.
Minor Subdivisions	\$750 per new dwelling unit payable upon building Permit Approval
Duplexes	\$750 per new dwelling unit payable upon approval of Application
Multiple Dwellings (Conventional & Townhouse)	\$750 per new dwelling unit payable upon approval of Application
Cluster Development	\$750 per new dwelling unit, payable upon project Approval.
Mobile Home Park	\$750 per new Mobile Home Dwelling Unit, payable upon Project Approval.

2. Eliminate the existing B. **BUSINESS/COMMERCIAL PERMITS** and add the following:

**B. BUSINESS/COMERCIAL PERMITS**

Business/Commercial construction	\$100.00 plus \$.35 per square foot of construction
Additions	\$.35 per square foot of construction

Alterations/Repairs	\$75.00 minimum \$.35 per square foot
Accessory Structures	\$ .30 per square foot of construction
Demolition	\$ .20 per square foot construction
Agricultural Structures	\$ .10 per square foot – Minimum of \$100
Certificate of Occupancy	No charge with unexpired permit. \$50.00 for expired permit, site plan review or special permit approval.
Sign Permits	\$ 75.00
Operating Permits	\$ 50.00
Special Use Permit or Zoning Amendment Hearing	\$250.00 – Includes Advertisement of Legal Notice by Town Board
Temporary Trailer Permit	\$ 25.00
Town Board Special Use Permit Renewal	\$ 100.00 Annually
Tower Special Permit	\$5,000.00 – plus reasonable costs of Engineering and/or other consultant services required by the Town to assist it in reviewing and analyzing material and information submitted relative to the application.
Tower Co-Location Permit	\$1000.00 – Includes antenna, equipment box, fencing.
Zoning Board of Appeals	\$250.00 – Includes advertising legal notice.
Planning Board	\$250.00 – Includes advertising legal notice.
Posters for Notice	\$ 5.00 each

Assessors Search Fee for Special Use Permit Hearings or Zoning Board Hearings \$ 35.00 for General Business, Office Business, General Industrial, Local Business, Hamlet Residential and Suburban Residential Districts.

\$ 15.00 for all other zoned areas.

Copies of Maps \$.50 Small Maps - \$1.00 Large Maps

**Police Department Fees:**

Accident Reports \$ 5.00 per report

Police Reports \$ 5.00 per report

Photograph Copies \$ 1.00 per photo

Transcripts \$20.00 plus \$1.00 per page

**Highway Department Fees:**

Highway Right-of-Way Permit \$75.00 plus costs for labor/inspections

Highway Drainage Enclosure Permit \$30.00

3. Eliminate the existing **C. SUBDIVISION FEES** and add the following:

**C. SUBDIVISION FEES**

(1) Application and Review Fees

Property Splits Application \$150.00

Minor Subdivision

Sketch plat \$250.00

Resubmission fee \$125.00

Final plat \$500.00 plus \$20/lot (includes Public Hearing)

Resubmission fee ½ of final plat fee

Major Subdivision without Public Improvements:

Sketch plat \$250.00 plus \$5/lot

Resubmissions ½ of total initial fee

Preliminary plat \$250.00 plus \$15/lot

Resubmission	½ of total preliminary plat
Final plat	\$250.00 plus \$10/lot
Resubmission	½ of total final plat

Major Subdivision with Public Improvements:

Sketch plat	\$300.00 plus \$15/lot
Resubmission	½ of total initial fee
Preliminary plat	\$500.00 plus \$30/lot
Resubmission	½ of total preliminary plat
Final plat	\$500.00 plus \$20/lot
Resubmission	½ of total final plat

(2) Inspection fee for public improvements. The subdivider (developer) shall pay to the Town, at the time of application for a public improvement permit, a deposit for the inspection of all required public improvements, in accordance with the following schedule:

<b>Construction Cost of Public Improvements</b>	<b>Inspection Fee</b>
\$0 to \$10,000	8% of total construction cost
Over \$10,000 to \$100,000	\$800 plus 6.0% over \$10,000
Over \$100,000	6.0% of total construction cost

- (a) An additional fee of \$50 shall be paid to the Town for administrative services.
- (b) The inspection deposit shall be used to pay the Town’s inspector or agent. Funds not used for this purpose shall be returned to the developer upon acceptance of the improvements.
- (c) If the deposited amount is exceeded due to the project not proceeding expeditiously, being understaffed, utilization of inexperienced contractors, conditions beyond the control of the Town or its agent, then the developer must pay the outstanding inspection fee before the improvements may be accepted.
- (d) The developer should note that additional inspection deposits may be required by outside agencies such as the Erie County Sewer District. The affected agency should be consulted to determine its costs.

4. Eliminate the existing **D. SITE PLAN REVIEW FEES** and add the following:

**D. Site Plan Review Fees:**

<u>Site Plan Waiver Fees</u>	\$150.00
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Number of Improved Acres

Less than 1 acre	\$250.00
1 acre to less than 2 acres	\$500.00
2 acres to less than 3 acres	\$750.00
3 acres to less than 4 acres	\$1000.00
4 acres to less than 5 acres	\$1500.00
5 acres to less than 6 acres	\$2000.00
Over 6 acres	\$2500.00

- (1) Site plan review fees apply to all uses requiring Site Plan Review.
- (2) This review fee includes two submittals and shall be paid at the time of initial submittal. If the plans cannot be approved in the second submittal because they are incomplete or Town specifications are not being followed, one-half the review fee will be charged for each subsequent submittal.
- (3) For construction in districts without sewer, a \$.025 per \$100 of construction value shall be applied.

E. SEQR Fees:

(1) SEQR reviews: reimbursement to the Town for any SEQR costs incurred. Estimates will be provided at the time of application.

F. Stormwater pollution prevention plans and site inspection fees.

(1) Single phase residential and commercial development projects.

(a) If design is in conformance with New York State Design Manuals:

<b>Number of Acres</b>	<b>SWPPP Design Plan Review Fee</b>	<b>Construction Inspection Fee</b>	<b>Total</b>
Less than 5 acres	\$300.	\$500	\$800
5 acres to 10 acres	\$500	\$700	\$1150
Over 10 acres	\$500 plus \$100 for each additional 5 acres or portion thereof	\$700 plus \$200 for each additional 5 acres or portion there	

(b) If design is not conformance with New York State Design Manuals:

<b>Number of Acres</b>	<b>SWPPP Design Plan Review Fee</b>	<b>Construction Inspection Fee</b>	<b>Total</b>
Less than 5 acres	\$600	\$500	\$1100
5 acres to 10 acres	\$750	\$700	\$1450
Over 10 acres	\$750 plus \$100 for each additional 5 acres or portion thereof	\$700 plus \$200 for each additional 5 acres or portion thereof	

(2) Multiphase residential and commercial development projects.

- (a) When the entire project is first being reviewed and approved by the municipality, use the single phase residential and commercial development project schedule above to determine an initial fee based on the entire acreage of the project to be developed in several phases.
- (b) Add \$500 for each subsequent phase after the first initial phase, to be collected at the beginning of the development of each subsequent phase. This additional \$500 is to be used for construction inspection assuming that the SWPPP and design plans do not change.

**Note:** These fees are in addition to the existing site plan or subdivision review/application fee.

### G. Solar Permitting

(1) Building, Roof and Ground Mounted Solar Photovoltaic Systems:

- (a) A NY State Unified Solar Permit (\$75.00) shall be required for the installation of all roof and building mounted SPSs and ground mounted systems for small-scale residential use.
- (b) All review and permitting for roof, building and ground mounted systems shall be the responsibility of the Town of Eden Code Enforcement Officer.
- (c) Any post construction changes to any small-scale roof, building and ground mounted SPS will require review and approval by the Town of Eden Code Enforcement Officer.

(2) Utility Scale Solar Photovoltaic Systems:

- (a) In addition to a NY State Unified Solar Permit (\$75.00), all utility scale SPSs shall require the issuance of a special use permit approval from the Eden Town Board. The Town Board shall refer all special use permit applications to the Planning Board and Code Enforcement Office for review and recommendations prior to the issuance of the site plan approval and the special use permit.

(3) Applicability:

- (a) Two types of ground mounted SPSs are addressed herein:
  - (i) SPS Type 1 – A utility (large) scale system designed for the generation of power supplied for commercial use and/or to the public grid by way of a net metering agreement;
  - (ii) SPS Type 2 – A small scale system designed to generate power for a single residence or property owner. A Type 2 system shall be permitted to

supply power to the local utility grid, on a limited basis, by way of a net metering agreement at no greater than 110% of.

H. Dog licensing and dog control fees. The Town Board shall, by resolution, from time to time establish the schedule of fees it shall deem necessary and appropriate for the proper administration of its dog licensing and dog control program, and hereby authorizes the Town Clerk to collect and remit such fees consistent with the requirements of article 7 of the Agriculture and Markets Law of the State of New York.

I. Fire prevention and Safety Inspections.

<b>Type of Building:</b>	<b>Fee</b>
Public assembly buildings	\$75.00
Buildings used as dormitories	\$75.00
Multiple dwellings/nonresidential structures	\$75.00

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with section twenty-seven of the Municipal Home Rule Law.