



4800 Ashford Dunwoody Road
Dunwoody, Georgia 30338
dunwoodyga.gov | 678.382.6700

MEMORANDUM

To: Mayor and City Council
From: Paul Leonhardt, Deputy Community Development Director
Date: June 26, 2024
Subject: Resolution to Adjust Permit Fees in Compliance with HB 461

ITEM DESCRIPTION

This memo summarizes impacts of HB 461 and proposes adjustments to the City’s Fee Schedule to implement state law. HB 461 is turning into law on July 1, 2024. The proposed resolution will bring Dunwoody in compliance with state law and will also include a clean-up item to incorporate previously adopted fire review and inspection fees into the main fee schedule. The proposed solution was presented to the City Council for discussion on June 8th.

BACKGROUND

House Bill 461 allows the calculation of permit fees for “construction projects that are classified as new construction or for extensive renovation projects” by the International Code Council valuation times the project square footage. An extensive renovation project is defined as a project valued \$75,000 or more. All other permitting fees need to be one of the following, which is a change from the City’s current method:

- A flat fee for each type of permit or inspection
- An hourly rate determined by a position’s salary plus direct labor costs plus overhead costs

Construction permit fees for the following permit types with a valuation of less than \$75,000 will not remain in compliance with the state law:

- Commercial – Addition
- Commercial - Exterior
- Commercial – Modification
- Residential – Accessory Structure
- Residential – Addition
- Residential – Modification



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CURRENT FEE METHODOLOGY

The overall fee consists of individual fees summarized in the following table. In red highlighted is the fee component that needs to change under HB 461. Additional individual fees may apply in uncommon cases:

	Residential	Commercial
Administrative Fee	\$25	\$25
Permit Fee	\$6 per \$1,000 ICC Valuation*	\$8 per \$1,000 ICC Valuation*
Certificate of Completion/Occupancy	\$50 (typically Certificate of Completion)	\$50/\$50
Temporary Certificate of Occupancy	-	\$250
Demolition Permit	\$100	\$100
Life Safety Plan Review	-	\$100
Life Safety Inspection	-	\$100
Fire Alarm Plan Review	-	\$100
Fire Alarm Inspection	-	\$100
Sprinkler Plan Review	-	\$100
Sprinkler Inspection	-	\$100
Fire Suppression Plan Review	-	\$100
Fire Suppression Inspection	-	\$100

* ICC Valuation per square foot based on construction type and use

CURRENT FEE REVENUES

Between 1/1/2020 and 5/20/2024, the City issued 650 construction permits with a valuation between \$0 and \$75,000. 143 being commercial; 507 being residential.

The City of Dunwoody uses the International Building Code, 2018 Edition to determine per-square foot construction valuations based on construction type and occupancy group (see Appendix 1).

All Permits

Average overall fee: \$445.46; average valuation: \$31,130.28
Median overall fee: \$351.48; median valuation: \$26,425.00

Commercial (22% of permits)

Average overall fee: \$808.16; average valuation: \$40,959.44
Median overall fee: \$819.40; median valuation: \$42,750.00

Lynn Deutsch Mayor

Eric Linton ICMA-CM City Manager

Sharon Lowery CMC City Clerk

Catherine Lautenbacher City Council Post 1

Rob Price City Council Post 2

Tom Lambert City Council Post 3

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Residential (78% of permits)

Average overall fee: \$343.16; average valuation: \$28,357.96
Median overall fee: \$308.86; median valuation: \$24,747.50

Residential permits are generally lower due to the absence of life safety/fire alarm/fire suppression/sprinkler/temporary certificate of occupancy fees.

FEE SCHEDULE GOALS

- Comply with state law, including HB 461
- Remain as revenue-neutral as possible
- Continue current practice of offering lower permit fees for residential projects

CLEANUP ITEM – FIRE MARHSALL FEES

To consolidate all permit fees in one location, the proposed resolution incorporates fire-related fees that were adopted in 2013 into the Community Development fee schedule. No changes to the fees are proposed at this time. The proposed change would merely make the fees more visible and easier to manage as all fees are in one place.

STAFF RECOMMENDATION

SB 461 allows construction permit fees for construction projects under \$75,000 valuation to be set as a flat fee. Due to the higher valuations of commercial projects, the staff recommends a separate flat fee for commercial versus residential permits.

The average valuation of a residential project is \$28,357.96. At \$6 per \$1,000 ICC valuation, the average permit fee is currently \$170.15. The staff recommends setting the new flat residential permit fee at \$175.

The average valuation of a commercial project is \$40,959.44. At \$8 per \$1,000 ICC valuation, the average permit fee is currently \$327.68. The staff recommends setting the new flat residential permit fee at \$350.



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APPENDIX 1: INTERNATIONAL BUILDING CODE VALUATION TABLE

Square Foot Construction Costs ^{a, b, c}

Group (2018 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	239.41	231.54	226.03	216.67	203.74	197.86	209.82	186.11	179.13
A-1 Assembly, theaters, without stage	219.07	211.20	205.68	196.33	183.65	177.76	189.48	166.01	159.03
A-2 Assembly, nightclubs	188.23	182.77	178.14	170.93	161.13	156.68	164.92	145.88	140.94
A-2 Assembly, restaurants, bars, banquet halls	187.23	181.77	176.14	169.93	159.13	155.68	163.92	143.88	139.94
A-3 Assembly, churches	220.05	212.18	206.66	197.31	185.99	180.11	190.46	168.36	161.38
A-3 Assembly, general, community halls, libraries, museums	185.05	177.18	170.67	162.31	148.58	143.75	155.46	131.00	125.02
A-4 Assembly, arenas	218.07	210.20	203.68	195.33	181.65	176.76	188.48	164.01	158.03
B Business	192.02	185.04	179.30	170.56	155.93	150.11	164.01	137.00	131.05
E Educational	197.52	190.73	185.77	177.32	165.32	156.97	171.23	144.39	140.26
F-1 Factory and industrial, moderate hazard	114.08	108.82	102.59	98.59	88.51	84.45	94.44	74.21	69.43
F-2 Factory and industrial, low hazard	113.08	107.82	102.59	97.59	88.51	83.45	93.44	74.21	68.43
H-1 High Hazard, explosives	106.73	101.48	96.25	91.25	82.38	77.32	87.10	68.08	N.P.
H234 High Hazard	106.73	101.48	96.25	91.25	82.38	77.32	87.10	68.08	62.30
H-5 HPM	192.02	185.04	179.30	170.56	155.93	150.11	164.01	137.00	131.05
I-1 Institutional, supervised environment	191.30	184.81	179.46	171.90	158.36	154.06	171.99	141.86	137.45
I-2 Institutional, hospitals	321.25	314.27	308.52	299.78	284.17	N.P.	293.24	265.24	N.P.
I-2 Institutional, nursing homes	222.99	216.01	210.27	201.52	187.89	N.P.	194.98	168.96	N.P.
I-3 Institutional, restrained	218.28	211.30	205.55	196.81	183.43	176.62	190.27	164.50	156.55
I-4 Institutional, day care facilities	191.30	184.81	179.46	171.90	158.36	154.06	171.99	141.86	137.45
M Mercantile	140.27	134.81	129.18	122.96	112.68	109.23	116.95	97.44	93.50
R-1 Residential, hotels	193.08	186.60	181.24	173.68	159.89	155.58	173.77	143.39	138.97
R-2 Residential, multiple family	161.95	155.46	150.10	142.54	129.52	125.22	142.64	113.02	108.61
R-3 Residential, one- and two-family ^d	151.10	146.99	143.20	139.61	134.50	130.95	137.27	125.85	118.45
R-4 Residential, care/assisted living facilities	191.30	184.81	179.46	171.90	158.36	154.06	171.99	141.86	137.45
S-1 Storage, moderate hazard	105.73	100.48	94.25	90.25	80.38	76.32	86.10	66.08	61.30
S-2 Storage, low hazard	104.73	99.48	94.25	89.25	80.38	75.32	85.10	66.08	60.30
U Utility, miscellaneous	83.66	79.00	74.06	70.37	63.47	59.32	67.24	50.19	47.80

- a. Private Garages use Utility, miscellaneous
- b. For shell only buildings deduct 20 percent
- c. N.P. = not permitted
- d. Unfinished basements (Group R-3) = \$21.00 per sq. ft.

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Eric Linton ICMA-CM City Manager
Sharon Lowery CMC City Clerk

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APPENDIX 2: FEE EXAMPLES

Residential Fee Examples

Bathroom renovation, single-family home, 40 square feet
Building Code construction type VB, use group R-3, Residential, one- and two-family

Valuation: \$118.45 per sf multiplied by 40 square feet equals \$4,738
Permit Fee Old: \$4,738 multiplied by \$6/\$1,000 equals \$28.43
Permit Fee New: \$175 flat fee

Second-floor addition, single-family home, 600 square feet
Building Code construction type VB, use group R-3, Residential, one- and two-family

Valuation: \$118.45 per sf multiplied by 600 square feet equals \$71,070
Permit Fee Old: \$71,070 multiplied by \$6/\$1,000 equals \$426.42
Permit Fee New: \$175 flat fee

Commercial Fee Examples

Restaurant kitchen remodel, 100 square feet
Building Code construction type IIB, use group A-2, Restaurants, Bars, and Banquet Halls,

Valuation: \$169.93 per sf multiplied by 100 square feet equals \$16,993
Permit Fee Old: \$16,993 multiplied by \$8/\$1,000 equals \$135.94
Permit Fee New: \$350 flat fee

Restaurant guest room remodel, 400 square feet
Building Code construction type IIB, use group A-2, Restaurants, Bars, and Banquet Halls,

Valuation: \$169.93 per sf multiplied by 400 square feet equals \$67,972
Permit Fee Old: \$67,972 multiplied by \$8/\$1,000 equals \$543.78
Permit Fee New: \$350 flat fee

**A RESOLUTION TO ADJUST PERMIT FEES IN COMPLIANCE WITH STATE
LAW**

WHEREAS, the Charter of the City of Dunwoody authorizes the City to provide for the general health, safety, and welfare of the citizens of the City; and

WHEREAS, the Charter of the City of Dunwoody further authorizes the City to regulate and license the construction of buildings and all other structures; and

WHEREAS, the City of Dunwoody charges certain permit fees, which are captured in a schedule of fees and are compliant with state law; and

WHEREAS, the State of Georgia has recently passed House Bill 461, which requires the City to change the calculation method of certain permit fees; and

WHEREAS, the City of Dunwoody wishes to consolidate the previously approved fire marshal fees into the Community Development fee schedule; and

WHEREAS, after deliberation, the City Council has chosen to adopt the fee schedule as follows.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DUNWOODY, AS FOLLOWS:

Section 1. That the schedule of fees for community development activities is hereby replaced with the document titled "City of Dunwoody, Community Development – Fee Schedule Exhibit A" and attached as Exhibit A; and

Section 2. That the staff is hereby authorized and directed to implement the amended schedule of fees herein with an effective date of July 1, 2024.

Exhibit A: City of Dunwoody, Community Development – Fee Schedule

SO RESOLVED AND EFFECTIVE, this ____ day of _____, 2024.

CITY OF DUNWOODY

Lynn P. Deutsch, Mayor

Attest:

Sharon Lowery, City Clerk

An aerial photograph of a circular splash pad in a park. The splash pad is a large, light-colored circular area with several smaller circular water features. It is surrounded by a black metal fence. Many people, including children and adults, are seen playing in the water and walking around the perimeter. The scene is bright and sunny, with shadows cast on the ground. Overlaid on the center of the splash pad is the City of Dunwoody Georgia logo, which consists of the text "City of Dunwoody Georgia" in a serif font, with a decorative flourish underneath "Dunwoody".

City of
Dunwoody
Georgia

Resolution Permit Fee Update – Change to State Law

June 26, 2024

Summary

- State law (HB461) has changed the way cities may calculate permitting fees.
- Normally, the effective date is a half a year or year out, but this law was signed on May 6 with an effective date of July 1.
- No GMA or similar guidance available yet.
- This presentation is to update Mayor and Council on the issue and present a draft recommendation for feedback.

Background

- State law puts restrictions on how much cities can charge for permitting fees.
- Currently, the city practice is to base the permit fee on the valuation of the projection. Residential is \$6/\$1,000 of value; commercial is \$8/\$1,000.
- The change in state law (HB 461) prohibits this practice for projects under \$75,000.
- Now, those projects must be done as a flat fee or the value of direct labor and indirect costs.

Recommendation

- Staff recommends replacement of valuation-based fees with a flat fee over the option of direct labor and indirect costs.
- The direct cost method would require creation of a system to capture costs on a permit-by-permit basis and is operationally problematic.

Recommendation

- The recommended levels were created by:
 - Reviewing all permits since January 2020 that were valued under \$75,000.
 - Residential average valuation was \$31,130, meaning a permit fee of \$170.
 - Commercial average valuation was \$40,959, meaning a permit fee of \$327.
 - Proposal: Residential \$175; commercial \$350.

Examples

Residential Fee Examples

Bathroom renovation, single-family home, 40 square feet

Building Code construction type VB, use group R-3, Residential, one- and two-family

Valuation: \$118.45 per sf multiplied by 40 square feet equals \$4,738

Permit Fee Old: \$4,738 multiplied by \$6/\$1,000 equals \$28.43

Permit Fee New: \$175 flat fee

Second-floor addition, single-family home, 600 square feet

Building Code construction type VB, use group R-3, Residential, one- and two-family

Valuation: \$118.45 per sf multiplied by 600 square feet equals \$71,070

Permit Fee Old: \$71,070 multiplied by \$6/\$1,000 equals \$426.42

Permit Fee New: \$175 flat fee

Examples

Commercial Fee Examples

Restaurant kitchen remodel, 100 square feet

Building Code construction type IIB, use group A-2, Restaurants, Bars, and Banquet Halls,

Valuation: \$169.93 per sf multiplied by 100 square feet equals \$16,993

Permit Fee Old: \$16,993 multiplied by \$8/\$1,000 equals \$135.94

Permit Fee New: \$350 flat fee

Restaurant guest room remodel, 400 square feet

Building Code construction type IIB, use group A-2, Restaurants, Bars, and Banquet Halls,

Valuation: \$169.93 per sf multiplied by 400 square feet equals \$67,972

Permit Fee Old: \$67,972 multiplied by \$8/\$1,000 equals \$543.78

Permit Fee New: \$350 flat fee

Discussion Points

- City previously had fees proportionate fees to project valuation: Small projects pay less, large projects pay more.
- Splitting residential/commercial will maintain lower fees for residential permits, but smallest project fees will increase.
- The re-bid if the Community Development contract will occur in Spring/Summer 2025 and will necessitate a review of these fees again.

Next Steps

- Soliciting feedback from Mayor and Council on Jun 10, 2024 with a goal of bringing back for adoption on July 8
- All permits issued after July 1 will be under the old schedule. Staff is currently reviewing options about that issue. The average monthly permitting workload is 130 per month in the summer, about 10 of which are impacted.

Added Clean-up Item

- Fees for fire related reviews and inspection were adopted in 2013, but are not included in the main permit fee schedule.
- Staff recommends keeping fees unchanged, but inserting them into the main fee schedule.



City of
Dunwoody
Georgia

CITY OF DUNWOODY, COMMUNITY DEVELOPMENT - FEE SCHEDULE EXHIBIT A

APPROVED: 6/26/2024

Zoning Fees						
	TO:	ACREAGE				
		0 to 5	5+ to 10	10+ to 20	20+ to 100	100+
REZONING FROM ANY DISTRICT	Any R (single family) district	\$500	\$1,000	\$1,500	\$2,000	\$2,500 plus an additional \$40 per acre for any portion thereof over 100 acres. Maximum fee = \$10,000
	Any RM (multi-family), Mixed Use, Commercial or Industrial District	\$750	\$1,500	\$2,000	\$2,500	\$3,000 plus an additional \$50 per acre for any portion thereof over 100 acres. Maximum fee = \$10,000
	PD	Any acreage: \$2,000 plus \$50 per acre or any portion thereof. Maximum fee = \$10,000				
SPECIAL LAND USE PERMIT	Home Occupation	\$250				
	All Other Use Permits	\$500				
MODIFICATIONS	Any modification request			\$300 plus \$100 for each additional modification request on the same piece of property		

Variances		
VARIANCES/APPEALS/SPECIAL EXCEPTIONS	Single-Family Residential Zoning Districts	\$250 plus \$50 for each additional variance request on the same piece of property
	Multi-Family Districts, Non-Residential Districts, and Commercial Uses in Residential	\$350 plus \$100 for each additional variance request
	All Signs	\$350 plus \$100 for each additional variance request. For appeal costs see Section 20-26.C4

Other		
SPECIAL ADMINISTRATIVE PERMIT	\$250 plus \$50 for each additional request reviewed concurrently on the same property	
ADMINISTRATIVE PERMIT	Event Type	Fee
	Temporary Outdoor Seasonal Sales (Christmas trees, pumpkins, etc.)	\$50
	Temporary Outdoor Sales	\$50 plus \$10 per day
ZONING CERTIFICATION LETTER	Fee	
	\$30	
PRELIMINARY PLAT	Use	Cost Per Unit
	Residential	\$350 plus \$5 per lot
	Commercial	\$350 plus \$5 per acre
FINAL PLAT	\$350 plus \$5 per lot	
MINOR SUBDIVISION	\$350	
REISSUE OF CONSTRUCTION OR LAND DISTURBANCE PERMIT	10% of original total fee which consists of all individual fees, i.e. administrative, permit, inspection, etc., up to a maximum of \$10,000	

Construction Permit Fees		
ADMINISTRATIVE FEE	\$25 for all new permits and reissue of permits, certificates of occupancy, inspection sheets, and for installation lists when not attached to combination building permits	
Building permits will be calculated based on the tables below		
PERMIT FEES FOR CONSTRUCTION PERMITS WITH VALUATIONS UNDER \$75,000, EXCEPT NEW CONSTRUCTION	Construction Classification	Permit Fee
	Residential	\$175
	Commercial	\$350
VALUATIONS FOR USES NOT COVERED UNDER THE ICC BUILDING VALUATION DATA CONSTRUCTION COST TABLE	Use	\$8 per \$1000 of the construction valuation listed below (or otherwise noted)
	Patio Cover, Deck, Balcony	\$15 per square foot
	Enclosed Patio, Sunroom, Screened Room	\$30 per square foot
	Shed Storage Building	\$20 per square foot
	Fences 6' in height or taller	\$1 per square foot
	Pools (value per square foot)	\$180 per square foot
	Public Garages	\$47 per square foot
	Retaining Wall (value per linear foot)	
	8' or less in height	\$10 per square foot
	More than 8' in height	\$20 per square foot
	Tenant OR Interior Finish Improvements	\$50 per square foot
VALUATIONS FOR USES LISTED IN THE ICC BUILDING VALUATION DATA CONSTRUCTION COST TABLE	Use	Valuation
	New One & Two Family Residential	Use ICC Building Valuation Data Table, latest published edition
	New Non-Residential & Multi-Family	Use ICC Building Valuation Data Table, latest published edition
	<p>The following valuation shall be used for the valuation of separate permits pertaining to the same structure. Permits with valuations under \$75,000 use project valuation of \$31,200 for residential projects and \$41,000 for commercial projects.</p> <p>a. Building shell only: 80% of valuation above b. Mechanical only: 15% of valuation above c. Plumbing only: 15% of valuation above d. Electric only: 15% of valuation above</p>	
TELECOMMUNICATION FACILITIES IN THE RIGHT-OF-WAY	Permit or Fee Type	Fee
	Application Fee for Co-Location of a Small Cell Installation on an existing pole	\$100 per facility
	Application Fee for each replacement pole with an associated Small Cell Installation	\$250 per replacement pole
	Application Fee for each new pole with an associated Small Cell Installation	\$1,000 per pole
	Right-of-Way Occupancy Fee for Co-Located Small Cell Installation on existing or replacement pole	\$100 per pole, annually
	Right-of-Way Occupancy Fee for Small Cell Installation on a new pole	\$200 per pole, annually
OTHER FEES	Permit or Fee Type	Fee
	Building/Engineering review for retaining wall - site plan review	\$100 per review
	Occupational Tax Certificate (OTC) Inspection Required for a new Occupational Tax Certificate and/or Change of Tenant	\$125 covers initial and one follow-up inspection, \$75 per inspection thereafter
	Move In As-Is / Change of Occupancy Classification	\$375 covers building and fire plan review, initial and one follow-up inspection, certificate of completion
	Inspections outside of normal business hours	\$150/hour (min 2 hours)
	Reinspection fees	\$50/hour (min 1 hour)
	Inspections for which no fee is specifically indicated	\$50/hour (min 1 hour)
	Demolition Permit	\$100

Tree Replacement Fund Donation	\$1,000 per 1.0 unit of density credit required
COMPONENT PERMITS not to be used for remodeling or new construction	\$50 minimum see permit forms for additional fees
Temporary Certificate of Occupancy	\$250
Final Certificate of Occupancy	\$50
Tree Removal Permit	\$25 for 1 to 5 trees, and \$25 for every additional 1 to 5 trees

Review Fees		
	Use	Cost Per Unit
LAND DISTURBANCE PERMIT	Residential	\$350 plus \$20 per lot
		Additional review fee of \$200 assessed for the second and subsequent re-submittal of plans
	Commercial	\$350 plus \$20 per acre
		Additional review fee of \$200 assessed for the second and subsequent re-submittal of plans

Fire Permitting Fee Schedule			
INSPECTIONS AND PLAN REVIEWS	Plan Review Type	Fee Amount	
		Site Plan Review	
	Initial Review	\$100	
	1st Resubmittal Review	\$50	
	Each Additional Review	\$150	
		< than 12,000 sq. ft.	> than 12,000 sq. ft.
	Life Safety/ Accessibility:		
	Initial Review	\$100	\$100
	1st Resubmittal Review	\$50	\$50
	Each Additional Review	\$150	\$150
	Alarm/Detection System		
	Initial Review	\$100	\$150
	1st Resubmittal Review	\$50	\$75
	Each Additional Review	\$150	\$200
	Automatic Sprinkler System		
	Initial Review	\$100	\$150
	1st Resubmittal Review	\$50	\$75
	Each Additional Review	\$150	\$200
	Fire line		
	Initial Review	\$100	\$150
	1st Resubmittal Review	\$50	\$75
	Each Additional Review	\$150	\$200
	Hood Suppression System		
	Initial Review	\$100	
	1st Resubmittal Review	\$50	
	Each Additional Review	\$150	
	Construction Permit Inspections		
	50%-80%-100% Any Construction without deficiencies		\$100
	Follow-up inspections from non-compliance		
	1st Re-inspection		\$50
	2nd and all additional inspections		\$100

Permit Fees			
LAND DEVELOPMENT	Inspection	Cost Per Unit	
	Road Vert. & Sect.	\$16 per linear foot	
	Curb and Gutter	\$6.50 per linear foot	
	Base and Paving	\$2.50 per square foot	
	Commercial Driveway	\$0.75 per square foot	
	Storm Drainage	\$20 per linear foot	
	Wastewater	\$22 per linear foot	
	Water Main	\$16 per linear foot	
	Sidewalk	\$2 per square foot	
	Other		
	Permit Fees	Cost Per Unit	
	Street Name Markers/Intersection	\$75 per intersection	
	Traffic Signs/Intersection	\$65 per intersection	
	Land Disturbance Permit (LDP)	Fee	
	LDP	\$125	
	Fees for Land Disturbance Permits		
	Valuation	Fee	
	\$1 to \$5,000	\$300	
	\$5,001 to \$20,000	\$300 for the first \$5,000 and \$150 for each additional \$1,000, or fraction thereof	
	\$20,001 to \$100,000	\$2,250 for the first \$20,000 and \$100 for each additional \$1,000, or fraction thereof	
\$100,001 to \$250,000	\$10,550 for the first \$100,000 and \$50 for each additional \$1,000, or fraction thereof		
\$250,001 to \$500,000	\$18,050 for the first \$250,000 and \$25 for each additional \$1,000, or fraction thereof		
\$500,001 to \$1,000,000	\$24,300 for the first \$500,000 and \$15 for each additional \$1,000, or fraction thereof		
\$1,000,001 and up	\$31,800 for the first \$1,000,000 and \$10 for each additional \$1,000, or fraction thereof		

Sign Permit Fees		
REVIEW FEE	\$15	
SIGN PERMIT	Sign Message Area Size	Flat Fee
	1 to 50 square feet	\$50
	51 to 100 square feet	\$100
	101 to 150 square feet	\$150
	151 to 200 square feet	\$200

**STATE OF GEORGIA
CITY OF DUNWOODY**

RESOLUTION 2013-07-XX

A RESOLUTION ADOPTING AND APPROVING FEE SCHEDULE FOR FIRE MARSHAL LIFE SAFETY INSPECTIONS AND PLAN REVIEW

WHEREAS, the City of Dunwoody is charged with preserving the health, safety and welfare of the citizens of the City; and

WHEREAS, in order to provide for expedient services for life safety inspections and plan review to the citizens of the City during development, construction and other permitting processes requiring Fire Marshal review and/or inspection, the City is offering supplemental parallel services from an in-house Fire Marshal to perform life safety inspections and plan review; and

WHEREAS, in order to provide for service comparable to one provided by the DeKalb County Fire Marshal, the Mayor and City Council wish to adopt comparable fee structure for the performance of said services.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the City of Dunwoody, that the following is adopted as the City’s Fire Marshal Fee Schedule for Life Safety inspections and Plan Review:

FIRE MARSHAL’S FEE SCHEDULE – CITY OF DUNWOODY		
Plan Review Type	Fee Amount	
Site Plan Review		
Initial Review		\$100
1 st Resubmittal Review		\$50
Each Additional Review		\$150
	< than 12,000 sq. ft.	> than 12,000 sq. ft.
Life Safety/Accessibility:		
Initial Review	\$100	\$100
1 st Resubmittal Review	\$50	\$50
Each Additional Review	\$150	\$150
Alarm/Detection System		
Initial Review	\$100	\$150
1 st Resubmittal Review	\$50	\$75
Each Additional Review	\$150	\$200
Automatic Sprinkler System		
Initial Review	\$100	\$150
1 st Resubmittal Review	\$50	\$75
Each Additional Review	\$150	\$200
Fire line		
Initial Review	\$100	\$150
1 st Resubmittal Review	\$50	\$75

**STATE OF GEORGIA
CITY OF DUNWOODY**

RESOLUTION 2013-07-XX

Each Additional Review	\$150	\$200
Hood Suppression System		
Initial Review		\$100
1 st Resubmittal Review		\$50
Each Additional Review		\$150
CONSTRUCTION PERMIT INSPECTIONS		
		Fee Amount
50%-80%-100% Any Construction without deficiencies		\$100
Follow-up inspections from non-compliance		
1 st Re-inspection		\$50
2 nd and all additional inspections		\$100

SO RESOLVED AND EFFECTIVE, this the 22nd day of July, 2013.

Approved:

Michael G. Davis, Mayor

Attest:

Sharon Lowery, City Clerk

Seal

House Bill 461 (AS PASSED HOUSE AND SENATE)

By: Representatives Thomas of the 21st, Momtahan of the 17th, Washburn of the 144th, Smith of the 138th, and Crowe of the 118th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 13 of Title 48 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding specific, business, and occupation taxes, so as to
3 require that the proceeds of local government regulatory fees be used to pay for regulatory
4 activity and not general operations; to revise the lists of professions which may and may not
5 be subject to such regulatory fees; to remove and revise certain provisions authorizing
6 calculation of regulatory fees for renovation and other construction projects; to provide for
7 a definition; to provide for related matters; to provide for an effective date; to repeal
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 Article 1 of Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to
12 general provisions regarding specific, business, and occupation taxes, is amended in Code
13 Section 48-13-9, relating to limitation on authority of local government to impose regulatory
14 fee, examples of those which may be subject to fees, individuals and entities not subject to
15 fees, and general laws not repealed, by revising subsections (a), (b), (c), and (e) as follows:

16 "(a) A local government is authorized to require a business or practitioner of a profession
 17 or occupation to pay a regulatory fee only if the local government customarily performs
 18 investigation or inspection of such businesses or practitioners of such profession or
 19 occupation as protection of the public health, safety, or welfare or in the course of
 20 enforcing a state or local building, health, or safety code, but no local government is
 21 authorized to use regulatory fees as a means of raising revenue for general purposes,
 22 provided that the amount of a regulatory fee shall approximate the reasonable cost of the
 23 actual regulatory activity performed by the local government and the proceeds of such
 24 regulatory fee shall be used to fund such regulatory activity and not the general operations
 25 of the local government, and further provided that the local government shall not be
 26 required to establish separate accounts for such proceeds.

27 (b) Examples of businesses or practitioners of professions or occupations which may be
 28 subject to regulatory fees of local governments include, but are expressly not limited to, the
 29 following:

- 30 (1) Building and construction contractors, subcontractors, and workers;
- 31 (2) Carnivals;
- 32 (3) Taxicab and limousine operators;
- 33 (4) Tattoo artists;
- 34 (5) Stables;
- 35 (6) ~~Shooting galleries and firearm ranges~~ Reserved;
- 36 (7) Scrap metal processors;
- 37 (8) Pawnbrokers;
- 38 (9) Food service establishments;
- 39 (10) Dealers in precious metals;
- 40 (11) ~~Firearms dealers~~ Reserved;
- 41 (12) Peddlers;
- 42 (13) Parking lots;

- 43 (14) Nursing homes, assisted living communities, and personal care homes;
44 (15) Newspaper vending boxes;
45 (16) Modeling agencies;
46 (17) Massage parlors;
47 (18) Landfills;
48 (19) Auto and motorcycle racing;
49 (20) Boarding houses;
50 (21) Businesses which provide appearance bonds;
51 (22) Boxing and wrestling promoters;
52 (23) Hotels and motels;
53 (24) Hypnotists;
54 (25) Handwriting analysts;
55 (26) Health clubs, gyms, and spas;
56 (27) Fortunetellers;
57 (28) Garbage collectors;
58 (29) Escort services;
59 (30) Burglar and fire alarm installers; and
60 (31) Locksmiths.
- 61 (c) Examples of businesses and practitioners of professions and occupations which local
62 governments are not authorized to subject to regulatory fees include, but are expressly not
63 limited to, the following:
- 64 (1) Lawyers;
65 (2) Physicians licensed under Chapter 34 of Title 43;
66 (3) Osteopaths licensed under Chapter 34 of Title 43;
67 (4) Chiropractors;
68 (5) Podiatrists;
69 (6) Dentists;

- 70 (7) Optometrists;
- 71 (8) Psychologists;
- 72 (9) Veterinarians;
- 73 (10) Landscape architects;
- 74 (11) Land surveyors;
- 75 (12) Practitioners of physiotherapy;
- 76 (13) Public accountants;
- 77 (13.1) Registered investment advisors;
- 78 (14) Embalmers;
- 79 (15) Funeral directors;
- 80 (16) Civil, mechanical, hydraulic, or electrical engineers;
- 81 (17) Architects;
- 82 (18) Marriage and family therapists, social workers, and professional counselors;
- 83 (19) Dealers of motor vehicles, as defined in paragraph (1) of Code Section 10-1-622;
- 84 (20) Owners or operators of bona fide coin operated amusement machines, as defined
- 85 in Code Section 50-27-70, and owners or operators of businesses where bona fide coin
- 86 operated amusement machines are available for commercial use and play by the public,
- 87 provided that such amusement machines have affixed current stickers showing payment
- 88 of annual permit fees, in accordance with Code Section 50-27-78;
- 89 (21) Merchants or dealers as defined in Code Section 48-5-354 as to their deliveries to
- 90 businesses and practitioners of professions and occupations in areas zoned for
- 91 commercial use; ~~and~~
- 92 (22) Shooting galleries and firearm ranges;
- 93 (23) Firearms dealers; and
- 94 (24) Any other business, profession, or occupation for which state licensure or
- 95 registration is required by state law, unless the state law regulating such business,
- 96 profession, or occupation specifically allows for regulation by local governments."

97 "(e) For each business, profession, or occupation, local governments are authorized to
98 determine the amount of a regulatory fee imposed in accordance with this article only by
99 one of the following methods:

100 (1) A flat fee for each business or practitioner of a profession or occupation doing
101 business in the jurisdiction as authorized by Code Section 48-13-8;

102 (2) A flat fee for each type of permit or inspection requested;

103 (3) An hourly rate determined by the hourly wage or salary, including employee benefits,
104 of the person or persons assigned to investigate or inspect multiplied by the number of
105 hours estimated for the investigation or inspection to be performed;

106 (4) An hourly rate as determined by paragraph (3) of this subsection with the addition
107 of other expenses reasonably related to such regulatory activity, such as administrative
108 and travel expenses, multiplied by the number of hours estimated for the investigation or
109 inspection to be performed; or

110 (5) For construction projects that are classified as new construction or for extensive
111 renovation projects, the number of square feet of construction or the number of square
112 feet of construction to be served by the system to be installed, in conjunction with ~~and~~
113 ~~limited by the building valuation data, as established from time to time by the~~
114 International Code Council or by similar data, and in conjunction with and limited by the
115 hourly rate described in paragraph (3) or (4) of this subsection. As used in this paragraph,
116 the term 'extensive renovation project' means a project valued at \$75,000.00 or more to
117 renovate an existing structure.; ~~or~~

118 ~~(6) For construction projects that are classified as renovation and all other construction~~
119 ~~projects other than those classified as new construction, the cost of the project in~~
120 ~~conjunction with and limited by the building valuation data that conforms with the~~
121 ~~principles and methods established from time to time by the International Code Council~~
122 ~~or by similar data, and in conjunction with and limited by the hourly rate described in~~
123 ~~paragraph (3) or (4) of this subsection."~~

124 **SECTION 2.**

125 This Act shall become effective on July 1, 2024.

126 **SECTION 3.**

127 All laws and parts of laws in conflict with this Act are repealed.