

## **Chapter 107. BUILDING CONSTRUCTION**

### **§ 107-1. Legislative authority.**

Pursuant to Chapters 541, 98 and 99 of the Connecticut General Statutes, as amended, the following penalties and schedule of fees are hereby established in accordance with the provisions of the State Building Code, Connecticut Fire Prevention Code and Connecticut Fire Safety Code as amended.

### **§ 107-2. Schedule of fees.**

**[Amended 6-22-1998, effective 7-15-1998; 4-8-2002, effective 6-4-2002; 3-24-2003, effective 4-18-2003; 10-14-2008, effective 11-11-2008]**

- A. The fee for a building permit required under the provisions of the State Building Code, as amended, shall be at the rate of \$15.25 for each \$1,000 or fraction thereof of construction value, except as provided in Subsections B, C and D, below.
- B. The fee for a building permit required under the provisions of the State Building Code, and requiring plan review and/or inspection by the Fire Marshal pursuant to the Connecticut Fire Safety Code and or Connecticut Fire Prevention Code as amended, shall be at the rate of \$22.00 for each \$1,000 or fraction thereof of construction value.
- C. The fee for a permit for the demolition of a building or structure shall be at the rate of \$12.50 for each \$1,000 or fraction thereof of the cost of such demolition. A copy of the work contract shall be submitted for the purpose of determining permit fees, except that permit fees for demolition not requiring a licensed demolition contractor shall be based on the actual cost of the demolition activity.
- D. The fee for a building permit required under the provisions of the State Building Code, as amended, for one and two family residences, townhouses and associated accessory buildings to those structures shall be at a rate of \$13.25 for each \$1,000 or fraction thereof of construction value.
- E. A fee of \$25 for all permits required pursuant to Subsections A, C and D of this section shall be applied when the cost of the work is valued at less than or equal to \$1,000 of construction value. A fee of \$50 for all permits required pursuant to Subsection B of this section shall be applied when the cost of work is valued at less than or equal to \$1,000 of construction value.
- F. The fee for the inspection of any existing fuel-burning appliance is \$35 per unit, and must be submitted prior to the inspection. Applicants requesting an inspection shall apply to the Building Department.
- G. Except as provided under Subsection H of this section, all permit fees are due when an application is submitted to the Building Department.

- H. A nonrefundable plan review/administrative fee of \$350 per dwelling unit must be submitted with the application for all new permits submitted pursuant to Subsection B. The fee shall be \$250 for all permits submitted pursuant to Subsection D. The plan review/administrative fee will be subtracted from the total fee as calculated pursuant to the fee schedule set out in this section. The balance of the permit fee will be due upon the approval of the building permit.
- I. Construction value used for the determination of all fees within this schedule shall be determined by the Building Official pursuant to the State Building Code as amended.

### **§ 107-3. Refunds.**

**[Added 3-24-2003, effective 4-18-2003]**

- A. When a permit has been issued in accordance with the State Building Code and the owner/applicant abandons or discontinues the building project, or, if the permit is revoked by the Building Official, the owner/applicant can make a written request for a refund. That portion of the work actually completed shall be computed and any excess fee shall be returned, less a nonrefundable plan review/administrative fee equivalent to a minimum of \$50 or 15% of the cost of the permit, whichever is greater.
- B. When a permit application submitted under this section has been denied in accordance with the State Building Code, the owner/applicant can make a written request for a refund. Any excess fee shall be returned, less the nonrefundable plan review/administrative fee prescribed in Section 107-2(H). In all other cases the refund shall be \$50 or 15% of the cost of the permit, whichever is greater.
- C. The Building Official will calculate the refund due to the owner/applicant and forward it to the Finance Department for processing.

### **§ 107-4. Penalties for offenses.**

- A. Any person who violates any provision of the State Building Code shall be fined not less than \$200 nor more than \$1,000 or imprisoned not more than six months, or both, as provided in *C.G.S. § 29-254a*.
- B. Any person who shall continue any work in or about the structure after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than \$200 nor more than \$1,000 or imprisoned not more than six months, or both, as provided in *C.G.S. § 29-254a*.
- C. Starting work prior to obtaining a building permit.

**[Added 6-22-1998, effective 7-15-1998]**

(1) A penalty of \$250 will be added to a permit fee for starting work without a permit.

**[Amended 10-14-2008, effective 11-11-2008]**

(2) A penalty will not be assessed to emergency repair work.

**§ 107-5. Agencies exempt from fees; education fee.**

**[Amended 4-8-2002, effective 6-4-2002]**

Agencies of the Town of Mansfield and the Mansfield Board of Education are required to comply with the provisions of the State Building Code, as amended; but shall not be required to pay any permit fees required under said State Building Code, any amendment thereto or under any Town ordinance relating thereto; except that the Building Official shall assess an education fee on each building permit application, including any application filed by an agency of the Town of Mansfield or the Mansfield Board of Education, as required by Connecticut General Statutes § 29-263(b), as amended, and the regulations promulgated thereunder.

**§ 107-6. Exception**

Except for the mandatory education fee noted in the preceding Section 107-5, nothing in this Chapter shall limit the authority of the Town Council as set forth in Town of Mansfield Charter section C303 to contractually establish any alternative schedule of fees for any large multi-family, commercial or mixed use construction project to reflect more accurately the cost to the Town of providing the services related to such fees.

**§ 107-7. Severability.**

Should any court of competent jurisdiction declare any section or clause or provision of this article to be illegal or unconstitutional, such decision shall affect only such section, clause or provision so declared illegal or unconstitutional, and shall not affect any other section, clause or provision of this article.