

DRAFT – comments by DF – 4/1/19

Permits for construction activity.

(a) *Expiration of permits.* Any building or other permit that authorizes construction activity in the city shall expire on the first anniversary of the date of its issuance, regardless of the date construction activity was actually commenced.

(b) *Extension/Renewal of Active Permits:*

(1) Upon request, the Development Service Department may renew or extend an expired permit once, at no charge, for a period not to exceed 1 year, in accordance with the fee schedule in section (d).

(2) Development Services Department shall review the request in regard to, but not limited to:

- i. Compliance with requirements of original permit;
- ii. Red tags, stop work orders, non-permitted work etc...;
- iii. Whether life and safety factors present to deny extension
- iv. Degree of active progress in project completion

(3) The Development Service Department shall have no authority to renew or extend an expired permit beyond the second anniversary of the date of the original issuance.

(c) *Renewal of expired permits.* Once a permit that has been extended by the Development Service Department expires, the permit may be renewed or extended by the Building Board of Adjustment and Appeals.

(1) A written application for renewal/extension shall be filed within 20 days prior to expiration of the permit;

(2) The applicant shall pay the applicable renewal/extension fees in accordance with schedule (d).; and

(3) The Applicant:

- i. demonstrates in writing that good cause exists for extending or renewing the permit;
- ii. provides a timeline for completion of the work;
- iii. demonstrates that appropriate measures will be taken to mitigate any negative effect of continued construction on nearby property owners or the public.

(4) A decision by the Building Board of Adjustments and Appeals is a final decision. An appeal from a decision of the Building Board of adjustments and appeals may be filed by verified petition in state district court, setting forth that the decision of

the board of adjustments and appeals is illegal, in whole or in part and specifying the grounds of the illegality. Petitions for appeal must be filed by the owner(s) or interested party within thirty (30) days of receipt of notice of the order of the Building Board of Adjustments and Appeals.

(d) *Permit renewal fees:*

2nd year permit authorizations:

3 month extension	12.5% of original permit fee
6 month extension	25% of original permit fee
9 month extension	37.5% of original permit fee
12 month extension	50% of original permit fee

3rd year permit authorizations:

3 month extension	25% of original permit fee
6 month extension	50% of original permit fee
9 month extension	75% of original permit fee
12 month extension	100% of original permit fee

(e) *Abandoned construction activity:*

- (1) Any project that fails to obtain a certificate of occupancy after the third anniversary of the date of original permit issuance can be declared as a structure unfit for human occupancy. The property is no longer deemed a construction site and therefore all permits expire. Any associated construction material/ equipment that was necessary for the project shall be removed.
- (2) The city is may enter into legal proceedings to have the structure removed and/or otherwise abated in accordance with City regulations and state law.