



# CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

14.10

OLD BUSINESS – 10

COUNCIL MEETING DATE

August 12, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Council to consider Fee Schedule changes, relative to new State requirements regarding building permit fees.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Fee Schedule Changes

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes

Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

On July 1, 2024, per House Bill 461, the State of Georgia requires building permit fees to be determined by either square footage criteria or hourly criteria, and not the process normally used by the City of Jonesboro – basing fees on construction costs. After consulting with the City's building official, Safebuilt, it was determined that permit fee amounts based on hourly rates was not feasible, so Safebuilt developed the attached chart based on square footage thresholds.

*Attached are the fee schedule documents there are three tables the first table matches what your current fees are as close as possible the second table is the average of Morrow, Fayetteville, and Hapeville and the third table shows the difference between the current fee table and the average table. I am also attaching a document that provides a multiplier for "long duration projects" and "complex projects".*

This would only change for projects where a new building is involved. Normal flat fees for roofs, electrical, plumbing, and HVAC permits will not change.

There is also a "multiplier" added for large, long-term projects that may involve multiple phases and several years. Jonesboro does not anticipate having any of these projects in the near future.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

See charts.

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Georgia-2023-HB461-Enrolled
- Copy of Jonesboro Fee Comparison
- Complex and long duration projects fee schedule

Staff Recommendation (Type Name, Title, Agency and Phone)

Approval

## FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title  
Melissa Brooks, City Clerk

Date  
August, 12, 2024

08/05/24

City Council    OLD BUSINESS  
Next: 08/12/24

Signature

City Clerk's Office

## House Bill 461 (AS PASSED HOUSE AND SENATE)

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

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:

## 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.



## Complex and long duration projects fee schedule

Complex projects shall be calculated at .25% of the total permit fee for each discipline (IE: Building, Mechanical, Electrical, Plumbing) that is deemed a complex portion of the project.

Complex project means a construction project that includes one or more of the following significant components:

- Unique equipment
- Specialized building system
- Multifaceted program
- Accelerated schedule
- Historic designation
- Intricate phasing

Some examples of complex projects are listed below **but not limited to the list below** and shall be determined by the building official at the time of the plan review for the project.

- Complex mixed occupancy buildings
- Institutional occupancies
  - Correctional facilities
  - Hospitals
  - Nursing homes
- Factories
- Hazardous occupancy buildings
- Aircraft hangers
- Large assembly occupancies
  - Stadiums
  - Amphitheaters
  - Arenas
  - Churches

Long duration projects (projects that have a duration of 12 months or more) shall be calculated at .1% for every month or fraction thereof of the total permit fee including the complex project fees, for the duration of the project. The duration shall be estimated at the time of submittal, any projects that exceed the estimate duration shall be charged an additional fee of .1% of the original permit fee including the complex project fees, for every month or fraction thereof that the project exceeds the estimated duration.