

INTRODUCED: December 17, 2018

AN ORDINANCE No. 2018-334

To amend City Code § 24-63, concerning permit fees, and to amend the fees set forth in Appendix A of the City Code for City Code § 24-63, for the purpose of revising the fees for permits for certain activities in the public right-of-way.

\_\_\_\_\_  
Patron – Mayor Stoney  
\_\_\_\_\_

Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: JAN 28 2019 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 24-63 of the Code of the City of Richmond (2015) be and is hereby **amended** and reordained as follows:

**Sec. 24-63. Permit fees.**

~~[Except as otherwise specifically provided, permits issued in accordance with]~~ Each permit issued under this article [shall be classified under one of five classes, as determined by the Director, and] is subject to the applicable fee [as] set forth in Appendix A to this Code [for the respective class shall]. The fee for a permit for which the fee is not associated with another section of this article in Appendix A to this Code is as set forth for this section in Appendix A to this Code. The

AYES:            9            NOES:            0            ABSTAIN: \_\_\_\_\_

ADOPTED:      JAN 28, 2019      REJECTED: \_\_\_\_\_    STRICKEN: \_\_\_\_\_

applicable fee set forth in Appendix A to this Code must be paid at the time [of] the application for [a] the permit is submitted to the City.

§ 2. That the fees set forth in Appendix A of the Code of the City of Richmond (2015) for section 24-63 of the Code of the City of Richmond (2015) be and are hereby **amended** and reordained as follows:

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
24-63	Fees for permits for encroachments or other use of a street, sidewalk or public way issued in accordance with Article II of Chapter 24 [ <del>which shall be classified under one of the following five classes</del> ]:	
	<del>[Class I: all permits to occupy, encumber, or work in the streets, sidewalks, and public ways other than for uses listed in Classes II, III, IV and V]</del>	<del>[\$20.00]</del>
	<del>[Class II: permits for work and associated obstructions of short duration (period not in excess of 60 days), including construction barricades, temporary walls or fences, scaffolds, covered walkways, swinging stages, trash dumpsters and storage or stockpiling of materials; permits for the construction of approved encroachments; and permits for new railroad crossings, alley entrance paving and commercial, industrial and institutional driveways]</del>	<del>[\$40.00]</del>
	<del>[Class III: permits for developer sewer connections, track-type cranes and for house moving activities]</del>	<del>[\$60.00]</del>
	<del>[Class IV: permits for work and associated obstructions of long duration (any period in excess of 60 days), including construction barricades, scaffolds, covered walkways, temporary walls or fences, lift elevators, construction offices and storage or stockpiling of materials]</del>	<del>[\$80.00]</del>
	<del>[Class V: permits for sheeting and shoring and related restoration of damaged areas, and developer street, sewer, water and alley construction and extensions]</del>	<del>[\$100.00]</del>
	<u>Application and processing fee for a Work-in-Street Permit</u>	<u>\$75.00</u>
	<u>Fees for sidewalk closures (barricades, ladders, scaffolding, fences, covered walkways, swinging stages, trash dumpsters and storage or stockpiling of materials):</u>	
	<u>Per first 30 days per block;</u>	<u>\$50.00</u>
	<u>After 30 days, per week per block</u>	<u>\$25.00</u>
	<u>Fee for street or lane closure – arterial or collector or city center, per week per street or lane per block</u>	<u>\$30.00</u>
	<u>Fee for street or lane closure – residential, per week per street or lane per block</u>	<u>\$15.00</u>
	<u>Fee for driveways – residential per driveway</u>	<u>\$50.00</u>
	<u>Fee for driveways – commercial per driveway</u>	<u>\$150.00</u>

<u>Fees for major and minor utility construction and street cuts:</u>	
<u>Per square foot for local road</u>	<u>\$0.25</u>
<u>Per square foot for collector road</u>	<u>\$0.50</u>
<u>Per square foot for arterial road</u>	<u>\$1.00</u>
<u>Fee for sheeting and shoring per 100 linear feet</u>	<u>\$100.00</u>
<u>Fee for dumpster per week</u>	<u>\$40.00</u>
<u>Fees for cranes:</u>	
<u>Rubber tire crane per crane per day</u>	<u>\$20.00</u>
<u>Track crane per crane per day</u>	<u>\$50.00</u>
<u>Fee for man-lift per occurrence (30 day maximum)</u>	<u>\$50.00</u>
<u>Fee for covered walkways per week per block</u>	<u>\$20.00</u>
<u>Fee for construction entrance</u>	<u>\$100.00</u>
<u>Fee for portable storage container per week</u>	<u>\$40.00</u>
<u>Fee for construction trailer per trailer per month</u>	<u>\$75.00</u>
<u>Fee for portable toilet</u>	<u>\$25.00</u>
<u>Fees for steel plates:</u>	
<u>Local road per plate per week</u>	<u>\$100.00</u>
<u>Collector road per plate per week</u>	<u>\$200.00</u>
<u>Arterial road per plate per week</u>	<u>\$300.00</u>
<u>Fee for test pits, borings, and cores, per hole, pit, or bore</u>	<u>\$20.00</u>

§ 3. This ordinance shall be in force and effect on the ninetieth day following its adoption.



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST

4-8247
OCT 15 2018

Office of the
Chief Administrative Officer

O&R REQUEST

DATE: October 4, 2018 EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (By Request) JS 10/3/18

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

THROUGH: Lenora Reid, Deputy Chief Administrative Officer - Finance

THROUGH: John Wack, Director of Finance

THROUGH: Robert Steidel, Deputy Chief Administrative Officer - Operations

THROUGH: Bobby Vincent Jr., Director
Department of Public Works

THROUGH: M.S. Khara, P.E., City Engineer
Department of Public Works

THROUGH: Brian Copple, Right of Way Manager
Department of Public Works

FROM: James Ellis, P.E., Development Engineer
Department of Public Works

RE: TO AMEND CITY CODE SECTION 24-63 APPENDIX A-RIGHT OF WAY
PERMIT FEES

ORD. OR RES No. \_\_\_\_\_

PURPOSE: To amend City Code Section 24-63 Appendix A-Right of Way Permit Fees as shown on a
proposal prepared by the Department of Public Works designated and entitled "RIGHT OF WAY
PERMIT FEE PROPOSAL".

**REASON:** The Department of Public Works staff has been working to modify the existing permit fees for the following reasons:

1. To clarify items on the fee schedule;
2. To reduce occupancy of the public use of right of way to improve public safety and mobility for pedestrians, bicyclists, and motorists;
3. To be consistent with similar municipalities.

**RECOMMENDATIONS:** The adoption of this ordinance is recommended by the Department of Public Works and will produce the following outcomes:

1. Fee schedule for items will be clarified;
2. Increased fees will encourage faster turnaround times for the return of public use of the right of way;
3. The proposed permit fees will be consistent with other municipalities.

**BACKGROUND:** The city of Richmond permit fees were established in 1976 by Ordinance 76-73-114. A fee of \$20 was the established amount required prior to working in streets or alleys. The permit fee schedule was updated in 1982 by Ordinance 82-17-26. Work in streets and alleys were grouped into five (5) classes with associated fees. To date, this fee schedule is still being applied. This fee schedule is as follows (including application fee, permit renewal, and noncompliance fee which can be found in Appendix A):

- Class I: All permits to occupy, encumber, or work in the streets, sidewalks, and public ways other than for uses listed in classes II, III, IV and V:  
Cost: \$20.00
- Class II: Permits for work and associated obstructions of short duration (period not in excess of 60 days), including construction barricades, temporary walls or fences, scaffolds, covered walkways, swinging stages, trash dumpsters and storage or stockpiling of materials; permits for the construction of approved encroachments; and permits for new railroad crossings, alley entrance paving and commercial, industrial and institutional driveways:  
Cost: \$40.00
- Class III: Permits for developer sewer connections, track-type cranes and for house moving activities:  
Cost: \$60.00
- Class IV: Permits for work and associated obstructions of long duration (any period in excess of 60 days), including construction barricades, scaffolds, covered walkways, temporary walls or fences, lift elevators, construction offices and storage or stockpiling of materials:  
Cost: \$80.00

- Class V: Permits for sheeting and shoring and related restoration of damaged areas, and development of street, sewer, water and alley construction and extensions:  
Cost: \$100.00
- Application fee for annual renewal of permanent permit:  
Cost: \$25.00
- Fee for noncompliance with permit, per month until compliant:  
Cost: \$250.00

City Council Resolution 2018-R025 adopted March 26, 2018, supports this O&R request. The Resolution expresses that the ongoing construction and demolition projects with the City's right-of-way frequently involves street and sidewalk closures that result in unsafe conditions for pedestrians, bicyclists, and motorists. The Resolution further supports proposed regulations and fee structure changes to the City Code Section 24 Appendix A.

In preparation of the proposed fee increase, DPW researched and compared Right of Way Fees with other localities: Charlottesville, Suffolk, Norfolk, Washington D.C., Alexandria, Hampton Roads, Virginia Beach, and VDOT (Henrico and Chesterfield Counties).

Right of Way Permit Fee revenue received FY17 totaled approximately \$45,000. This is based upon 1,294 permits that were issued. Based upon the same number of permits, revenue created by proposed fee increase is estimated to be approximately \$284,000.

DPW has been coordinating with PDR and Permits and Inspection in advance of implementation of these fees. DPW, PDR, and Permits and Inspection will coordinate public outreach efforts to the development community, customers, and citizens beginning October 2018. Upon adoption of this Council Ordinance, necessary changes to reconfigure EnerGov will be implemented within 90 days. New fee structure will be applied starting March 2019.

**FISCAL IMPACT/COST:** None. Change Order necessary to reconfigure EnerGov. These funds have been previously budgeted within DPW budget.

**FISCAL IMPLICATIONS:** None anticipated.

**BUDGET AMENDMENT NECESSARY:** No amendment necessary at this time.

**REVENUE TO CITY:** \$75 fee per permit application; projected revenue approximately \$284,000 annually

**DESIRED EFFECTIVE DATE:** 90 days from adoption.

**REQUESTED INTRODUCTION DATE:** November 13, 2018

**CITY COUNCIL PUBLIC HEARING DATE:** December 10, 2018

**REQUESTED AGENDA:** Consent Agenda

**RECOMMENDED COUNCIL COMMITTEE:** Finance

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** Planning Commission

**AFFECTED AGENCIES:** Public Works; Public Utilities; City Attorney's Office; Planning and Development Review; Economic and Community Development; Assessor; Finance; Mayor's Office, CAO's Office

**RELATIONSHIP TO EXISTING ORD. OR RES.:** Resolution 2018-R025

**REQUIRED CHANGES TO WORK PROGRAM(S):** None.

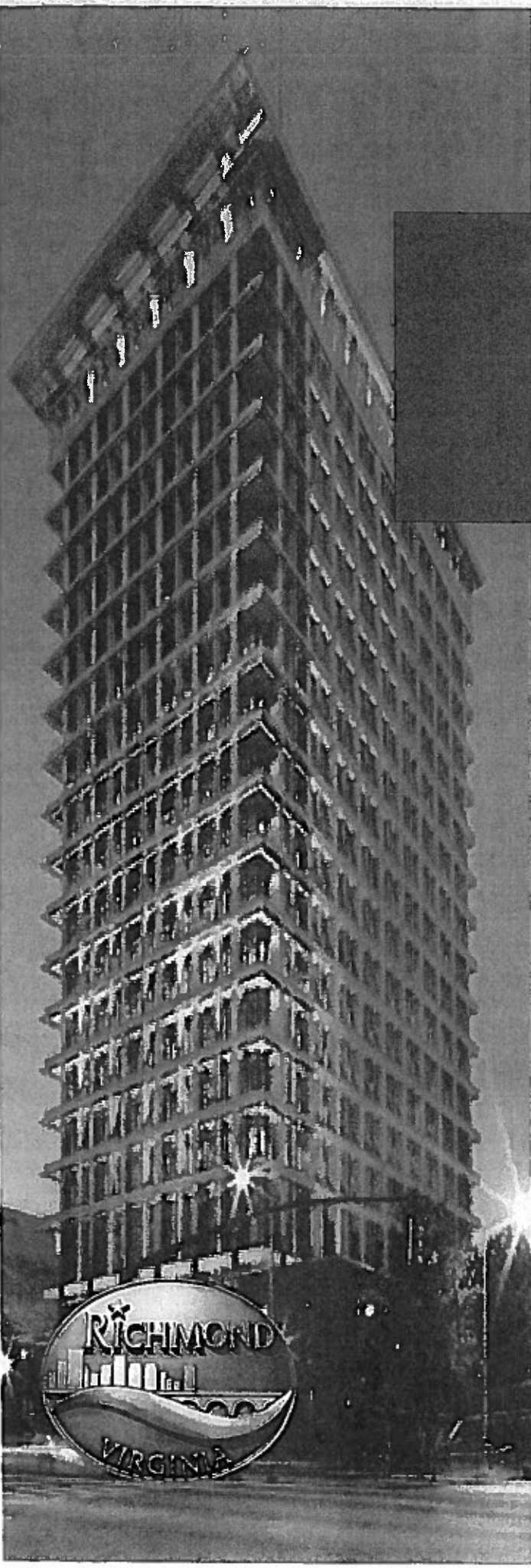
**ATTACHMENTS:** Right of Way Permit Fee Proposal  
Revenue Comparison

**STAFF:**

Prepared for Bobby Vincent, Jr., Director DPW

Prepared by James Ellis, P.E. – Development Engineer– DPW

646-0435



# Right of Way Permit Fee Proposal

DEPARTMENT OF PUBLIC WORKS

October 9, 2018

900 East Broad St  
Richmond, VA 23219  
804-646-0436  
[RightofWay@richmondgov.com](mailto:RightofWay@richmondgov.com)








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# 1.0 Background

The city of Richmond permit fees were established in 1976 by Ordinance 76-73-114. A fee of \$20 was the established amount required prior to working in streets or alleys. The permit fee schedule was updated in 1982 by Ordinance 82-17-26. Work in streets and alleys were grouped into five (5) classes with associated fees. To date, this fee schedule is still being applied. The fee schedule is as follows (including application fee, permit renewal, and noncompliance fee which can be found in Appendix A):

- Class I: All permits to occupy, encumber, or work in the streets, sidewalks, and public ways other than for uses listed in classes II, III, IV and V.  
Cost: \$20.00
- Class II: Permits for work and associated obstructions of short duration (period not in excess of 60 days), including construction barricades, temporary walls or fences, scaffolds, covered walkways, swinging stages, trash dumpsters and storage or stockpiling of materials; permits for the construction of approved encroachments; and permits for new railroad crossings, alley entrance paving and commercial, industrial and institutional driveways.  
Cost: \$40.00
- Class III: Permits for developer sewer connections, track-type cranes and for house moving activities.  
Cost: \$60.00
- Class IV: Permits for work and associated obstructions of long duration (any period in excess of 60 days), including construction barricades, scaffolds, covered walkways, temporary walls or fences, lift elevators, construction offices and storage or stockpiling of materials.  
Cost: \$80.00
- Class V: Permits for sheeting and shoring and related restoration of damaged areas, and developer street, sewer, water and alley construction and extensions.  
Cost: \$100.00

- Application fee for annual renewal of permanent permit  
Cost: \$25.00
- Fee for noncompliance with permit, per month until compliant  
Cost: \$250.00
- In 2017, 1,401 WISPs and 50 encroachments were processed
  - By Type:
    - Barricade <60 days: 401 permits
    - Barricade >60 days: 59 permits
    - Carriage Walk: 0 permits
    - Covered Walks: 0 permits
    - Driveway (Commercial): 32 permits
    - Driveway (Residential): 105 permits
    - Dumpsters: 266 permits
    - Internal permits-City of Richmond DPU and DPW Permits, Commonwealth of Virginia Permits/VCU Permits: 142 permits
    - Rubber Tire Crane: 142 permits
    - Sewer: 101 permits
    - Sheeting and Shoring: 0 permits
    - Sidewalk and Streetscape Improvements: 0 permits
    - Special Events: 0 permits
    - Subdivision/Major Development: 1 permit
    - Track Cranes: 0 permits
    - Dominion: 121 permits
    - Verizon: 52 permits
  - By Class:
    - Class I (\$20.00): 446 permits
    - Class II (\$40.00): 364 permits
    - Class III (\$60.00): 104 permits
    - Class IV (\$80.00): 192 permits
    - Class V (\$100.00): 1 permit
  - Revenue Estimate (2017): \$45,140.00



## 2.0 Problem Statement

The Department of Public Works staff has been working to modify the existing permit fees for the following reasons:

1. To clarify items on the fee schedule;
2. To reduce occupancy of the public use of right of way to improve public safety and mobility;
3. To be consistent with similar municipalities.

This task has been further supported by the City Council Resolution 2018-R025.

## 3.0 Proposed Fee

The permit fee schedule has not been updated since established in 1982. Current fees are not consistent with fees charged in similar municipalities from a recent comparative study conducted by city administration. Permit fees were compared to state fees, localities, and cities (See Below):

- Henrico County
- Chesterfield County
- City of Norfolk
- City Alexandria
- City of Charlottesville
- VDOT

Therefore, after collectively studying the data, the proposed solutions may be found below:

Application Fee: \$75.00



The cost was determined that \$75.00 will cover the existing \$50.00 inspection fee (which includes 3 inspections) and a \$25.00 intake and processing fee. The \$25.00 was determined by metrics of task and rate:

Task	Rate	Time (Hours)	Costs
Clerk Intake	\$20/hr	0.5	\$10.00
Inspector/Engineer Processing	\$30/hr	0.5	\$15.00
Total			\$25.00

In addition to the \$75.00 application fee, Work Item Fees were determine through comparative research and are listed as follows:


Work Item	Proposed Fee
Re-Inspection Fee	\$35.00 (inspection after initial 3 included in application)
Sidewalk Closure (barricades, ladders, scaffolding, etc.)	\$50.00 per first 30 days/per block  After 30 day:  An additional \$25 per week/per block
Street/Lane Closure/Parking Lane – Arterial or Collector or City Center	\$30.00 per week/ per lane/per block
Street/Lane Closure/Parking Lane – Residential	\$15.00 per week/per lane/per block
Driveways – Residential	\$50.00 per driveway
Driveways- Commercial	\$150.00 per driveway
	*Comparable to VDOT cost*
Major and Minor Utility Construction and Street Cuts	\$0.25/sf (Local) \$0.50/sf (Collector) \$1.00/sf (Arterial)
Sheeting & Shoring	\$100.00 per 100 linear feet
Dumpster  (Does Not Include Metered Parking)	\$40.00 per dumpster/ per week

Crane	\$20.00 (Rubber Tire) per crane/ per day \$50.00 (Track) per crane/ per day
Man-Lift	\$50.00 per occurrence (30 day maximum)
Covered Walkways	\$20.00 per week/per block
Construction Entrance	\$100.00
Parking Lane Closure (metered)	Ordinance governs \$6.50 per spot/day
POD ( Storage container) (Does Not Include Metered Parking)	\$40.00 per week
Construction Trailer (Does Not Include Loss of Metered Spots or street closure)	\$75.00 per trailer/ per month
Portable Toilet	\$25.00/per toilet/per month
Manhole Access	
Steel Plates	\$100.00 (Local) per plate/ per week \$200.00 Collector) per plate/ per week \$300.00 (Arterial) per plate/per week
Test Pits, Borings & Cores	\$20.00/ hole, pit, bore
Expired Permit	\$25.00 per renewed permit
No Permit	Written warning (1 <sup>st</sup> offense)/per entity \$500.00 (2 <sup>nd</sup> offense)/per entity \$1,000.00 (3 or more offenses)/ per entity



## 4.0 Conclusion

In conclusion:

- Fee schedule for items will be clarified;
  - Increase fees will encourage faster turnaround times for the return of public use in the right of way;
  - The proposed permit fees will be consistent with other municipalities.
- 

Developer Permits (Streets, Curb & Gutter, Sidewalk, etc.)	\$100.00	PDR
Encroachments	\$300.00/\$1000.00	\$300.00/\$1000.00
Covered Walkways	\$40.00 (< 60 days) \$80.00 (> 60 days)	\$20.00 per week/per block
Construction Entrance	\$40.00	\$100.00
Parking Lane Closure (metered)	6.50 per day/ per spot  *Per Ordinance 2016-304	Ordinance governs
POD (storage container) (Does Not Include Metered Parking)	\$0.00 (< 3 days) \$20.00 (< 7 days) \$40.00 (> 7 days)	\$40.00 per week
Construction Trailer (Does Not Include Loss of Metered Spots or street closure)	\$80.00	\$75.00 per trailer/ per month
Portable Toilet	N/A	\$25.00
Manhole Access	\$80.00/yr (Dominion Virginia Power)	
Steel Plates	N/A	\$100.00 (Local) per plate/ per week \$200.00 (Collector) per plate/ per week \$300.00 (Arterial) per plate/per week
Test Pits, Borings & Cores	\$20.00	\$20.00/ hole, pit, bore
Expired Permit	\$25.00 (Renewal)	\$25.00 per renewed permit
Working without a Permit		Written warning (1 <sup>st</sup> offense) \$500.00 (2 <sup>nd</sup> offense) \$1,000.00 (3 or more offenses)

**EXAMPLE #1: A contractor wants to close one parking lane along one block of a collector street for building renovations for three weeks. The contractor will be placing two dumpsters and barricading the parking lane (including sidewalk). There are five metered parking spaces along this block. Therefore, the payment to be made is as follows:**

**WISP PERMIT: \$75.00 (application fee) + (\$40.00\*3 weeks\*2 dumpsters) + \$50.00 sidewalk closure per block = \$365.00**

**Required Parking Permit per Ordinance 2016-304: [(\$6.50 per day/spot\*5 spots \* 21 days (3 weeks))] = \$682.50**

**Total Amount Due for WISP issuance: \$365.00 + \$682.50 = \$1047.50**



**EXAMPLE #2: A rubber tire crane contractor wants to close one block of a two-way street (no sidewalk) in a residential neighborhood for one day to place an HVAC unit on a daycare. Therefore, the payment to be made is as follows:**

**\$75.00 (application fee) + \$20.00 per crane/day + \$15.00 per lane/per week/per block \* 2 lanes = \$125.00**

## 5.0 Appendix A

### RIGHT-OF-WAY PERMIT COMPARATIVES (Existing vs Proposed)

**Permit Cost: Application Fee + each item of work in the right of way =  
\$Total (See examples below fee chart)**

	<b>Current City of Richmond, VA Fees</b>	<b>Proposed Fee</b>
Application Fee (Admin Fee plus Inspection Fee)		\$75.00
Re-Inspection Fee	N/A	\$35.00 (inspection after initial 3 included in application)
Sidewalk Closure (barricades, ladders, scaffolding, etc.)	\$40.00 (< 60 days) \$80.00 (> 60 days)	\$50.00 per first 30 days/per block  After 30 day:  An additional \$25 per week/per block
Street/Lane Closure – Arterial or Collector or City Center	\$40.00 (< 60 days) \$80.00 (> 60 days)	\$30.00 per week/ per lane/per block
Street/Lane Closure – Residential	\$40.00 (< 60 days) \$80.00 (> 60 days)	\$15.00 per week/per lane/per block
Driveways – Residential	\$20.00/lot	\$50.00 per driveway
Driveways- Commercial	\$40.00/lot	\$150.00 per driveway  *Comparable to VDOT cost*
Paving	\$100.00 Alley paving	None
Major and Minor Utility Construction and Street Cuts	\$60.00	\$0.25/sf (Local) \$0.50/sf (Collector) \$1.00/sf (Arterial)
Sheeting & Shoring	\$100.00	\$100.00 per 100 linear feet
Dumpster  (Does Not Include Metered Parking)	\$40.00 (< 60 days) \$80.00 (> 60 days)	\$40.00 per dumpster/ per week
Crane	\$20.00 (Rubber-tire) \$60.00 (Track)	\$20.00 (Rubber Tire) per crane/ per day \$50.00 (Track) per crane/ per day
Man-Lift	\$40.00 (< 60 days) \$80.00 (> 60 days)	\$50.00 per occurrence (30 day maximum)