



CITY OF DOVER ORDINANCE #2022-10

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 22 – Buildings and Building Regulations, Article VII – Property Maintenance Code be amended to read as follows:

CHAPTER 22 BUILDINGS AND BUILDING REGULATIONS

ARTICLE VII. – PROPERTY MAINTENANCE CODE

Section 22-226 Violations and penalties

- (a) Any person, firm, or corporation who violates any provision of this article shall be penalized by a fine as provided for in Appendix F—Fees and Fines.
- (b) Unpaid fees and fines are to be placed on the municipal lien docket by the city against the property on which the violation occurred.

That Appendix F Fees and Fines, Chapter 22 Buildings and Building Regulations be amended by inserting the text indicated in bold, blue font and deleting the text indicated in red strikeout as follows:

APPENDIX F – FEES AND FINES

Chapter 22. Buildings and Building Regulations

Chapter 22. Buildings and Building Regulations	Fees and Fines
<i>Article III. Building Code</i>	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 22-61. Adopted (International Building Code)	
Sec. 105.5.1. Expiration; Additional 180-day extensions may be granted with payment of a renewal fee	\$25.00 per 180-day extension
Sec. 113.4. Violation penalties; Each day that a violation continues shall be deemed a separate offense	Fine of not less than \$100.00 or more than \$10,000.00
Sec. 114.3. Unlawful continuance	
First offense	\$100.00
Second offense	\$250.00
Third offense	\$500.00

Fourth and subsequent offenses	No less than \$1,000.00 and no more than \$10,000.00
Sec. 22-65. Permit fees	
Fees shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector. The building inspector may waive the doubling of fees in cases where the building permit applicant is not a professional contractor, and the work is not being done by a professional contractor.	
Subsec. (a) Building permits	\$25.00 for first \$1,000.00 of costs and \$8.00 for each additional \$1,000.00 of costs or multiples thereof up to \$10,000,000.00 of costs, \$6.00 for each additional \$1,000.00 of costs or multiple thereof up to \$20,000,000.00, and \$5.00 for each additional \$1,000.00 of costs or multiple thereof above \$20,000,000.00
Subsec. (a) Fence permits	\$25.00 for first \$1,000.00 of costs and \$8.00 for each additional \$1,000.00 of costs or multiple thereof
Subsec. (a) Sign permits	\$0.75 per square foot of sign area; minimum fee for each permit \$50.00
Subsec. (a) Swimming pool permits	\$25.00 for first \$1,000.00 of costs and \$8.00 for each additional \$1,000.00 of costs or multiple thereof
Subsec. (a) Demolition permits, any building which is being demolished for the purpose of vacating the land for future development or construction upon the same	\$50.00; \$0.00 if condemned and required to be

	demolished by the city or any public entity
Subsec. (a) Moving permits, each building	\$250.00
Subsec. (a) Construction plan reviews, nonresidential (Not subject to doubling)	\$20.00 per set of plans
Subsec. (b) Reinspections (Not subject to doubling)	
First reinspection	\$0.00
Second reinspection	\$25.00
Third reinspection	\$50.00
Any subsequent reinspection	\$100.00
<i>Article IV. Electrical Installations</i>	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 22-110. Violations	Not less than \$25.00 or more than \$1,000.00
<i>Article V. Mechanical Code</i>	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 22-145. Heating, air conditioning, and heat pump permit fees	
Fees shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector.	
Subsec. (a) Heating permit	\$40.00 first 10,000 BTUs and \$7.00 each additional 10,000 BTUs or multiple thereof
Subsec. (a) Air conditioning permit	\$40.00 per ton for the first five tons and \$7.00 per ton over five tons or multiple thereof
Subsec. (a) Heat pump permit	\$40.00 first 10,000 BTUs and \$7.00 for each additional 10,000 BTUs or multiple thereof or \$40.00 per ton for the first five tons and \$7.00 per ton over five tons or multiples thereof
<i>Article VI. Plumbing Code</i>	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 22-185. Permit fees	

Fees shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector. The building inspector may waive the doubling of fees in cases where the building permit applicant is not a professional contractor, and the work is not being done by a professional contractor.	
Subsec. (a) Enumerated	
Fixtures	\$35.00 first five fixtures and \$3.00 for each additional fixture
Garbage disposal and hot water heaters	A minimum fee of \$35.00
Gas, water and sewer inspection underground	\$30.00 for first 150 feet and \$0.75 for each additional ten feet or multiple thereof
Article VII. Property Maintenance	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 22-226. Violations	
Subsec. (a) Violations; penalties	Not less than \$25.00, nor more than \$1,000.00
Article VIII. Leases	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 22-251. Unlawful leases	
Subsec. (g) Violations; penalties	
First offense	\$50.00
Each subsequent offense	\$100.00
Article IX. Lodging Houses	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 22-301. Generally	
Subsec. (b) Expiration; fee	
Annual permit fee	\$50.00 for the first ten rooms and \$5.00 for each additional room.
Annual dormitory permit fee	\$50.00 for the first ten rooms and \$2.50 for each room thereafter.
Subsec. (c) Failure to pay on due date	A penalty fee in the amount of ten percent per month of the

	amount of the license fee until the same is paid.
Subsec. (d) Reinstatement fee	\$100.00
<i>Article X. Rental Dwellings</i>	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 22-332. Inspection required	
Subsec. (b) Reinspection fee (Not subject to doubling)	
First follow-up inspection	\$0.00
Each subsequent reinspection, per inspection	\$50.00
If the permit fee is not paid on the date due, the permittee shall incur a penalty fee of ten percent per month of the amount of the license fee until the same is paid.	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 22-351. Generally	
Subsec. (a) Single-family dwellings, annual permit	
Single-family detached dwelling, each dwelling	\$100.00
Single-family attached dwelling, each dwelling	\$80.00
Subsec. (b) Multiple-family dwellings, annual permit	
Multiple dwellings consisting of three or less dwelling units	\$100.00
Multiple dwellings consisting of four or more dwelling units:	
For the first three dwelling units	\$100.00
For each additional dwelling unit in excess of three	\$35.00
Condominium units and accessory apartments located within structures principally used for owner occupancy, each	\$35.00
Subsec. (c) Late payment penalty	A penalty fee in the amount of ten percent per month of the amount of the license fee until the same is paid.
Subsec. (d) Reinstatement fee	\$100.00
Sec. 22-360. Enforcement, Fees and Penalties, Reporting	
Subsec. (a) Short term rental license	\$100.00 annually, prorated for partial year
Subsec. (b) Failure to register and obtain a license	\$100.00 (not prorated) in addition to license
Subsec. (c) Penalties for violations	\$100.00 per offense
<i>Article XI. Dangerous Buildings</i>	

Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 22-386. Violations; penalties for disregarding notices or orders	
Subsec. (a) Violations by owner, each offense, minimum	\$100.00
Subsec. (b) Violations by occupant or lessee, each offense, minimum	\$100.00
Subsec. (c) Removal of notice, each offense, not to exceed	\$100.00
Article XII. Vacant Buildings	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 22-403. Registration and registration fees	
Subsec. (a)(2)b.(ii). Registration fee	
Residential buildings and non-residential buildings <10,000 SF:	
Buildings vacant one year or less	\$375.00
Buildings vacant for more than one year but less than two years	\$750.00
Buildings vacant for more than two years but less than three years	\$1,500.00
Buildings vacant for more than three years but less than five years	\$3,000.00
Buildings vacant for five years or longer	\$5,000.00

BE IF FURTHER ORDAINED:

That Chapter 46 – Fire Prevention and Protection, Article I, In General, Section 46-1 Means of egress be amended by inserting the text indicated in bold, blue font and deleting the text indicated in red strikeout as follows:

CHAPTER 46 FIRE PREVENTION AND PROTECTION

ARTICLE I – IN GENERAL

Section 46-1 Means of Egress

(e) Penalties. If any exit access, exit, or exit discharge, with the exception of a locked exit door, if found to be in violation of this section, a summons shall be issued as provided for in Appendix F – Fees and Fines. Any required exit door found to be locked against egress shall be in violation of this section and a summons shall be issued for each locked exit as provided for in Appendix F – Fees and Fines. Unpaid fees and fines are to be placed on the municipal lien docket by the city against the property on which the violation occurred.

ARTICLE V – FIRE LANES

Section 46-202 Violations

(d) Failure to mark. Property owners of existing buildings who do not have their fire lanes marked within 45 days of being notified by the fire marshal, shall be in violation of this article.

Any property owner found to be in violation of [this sub]section ~~46-202~~(d) shall be issued a summons as provided for in Appendix F – Fees and Fines. Unpaid fees and fines are to be placed on the municipal lien docket by the city against the property on which the violation occurred.

That Appendix F Fees and Fines, Chapter 46 Fire Prevention and Protection Regulations be amended by inserting the text indicated in bold, blue font and deleting the text indicated in red strikeout as follows:

APPENDIX F – FEES AND FINES

Chapter 46. Fire Prevention and Protection

Chapter 46. Fire Prevention and Protection	Fees and Fines
<i>Article I. In General</i>	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 46-1. Means of egress	
Subsec. (f) Penalties	
Any exit access, exit, or exit discharge, with the exception of a locked exit door, found to be in violation of this section	\$100.00 first offense \$200.00 second or subsequent offense
Any required exit door found to be locked against egress	\$100.00 each locked exit first offense, \$200.00 subsequent offense
Sec. 46-3. Impairment of fire protection equipment	
Subsec. (f) Fines	\$100.00 per device, first offense; \$200.00 per device, second and subsequent offenses
Sec. 46-7. Preventable and malfunctioning alarms to the fire company	
Subsec. (a)(1) Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; generally	Should the person notified fail to appear at said premises within 30 minutes after being notified to do so, the city may charge the owner of the premises a fine of \$100.00
Subsec. (a)(2) Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; malfunction	Failure to return documentation of service/repair within

	the period of time stated on the notice of violation, which is satisfactory to the fire marshal, will result in assessment against the owner of a fine of \$100.00 for the fire alarm malfunction
Subsec. (b)(1) Fine charges; multiple fire alarm malfunctions or preventable alarms; amount of fine	
Number of preventable or malfunctioning fire alarms	Fine per preventable or malfunctioning fire alarm
Third alarm	\$100.00
Fourth alarm	\$200.00
Fifth alarm	\$250.00
All over fifth alarm, each alarm	\$250.00
Subsec. (b)(2) Fine charges; multiple fire alarm malfunctions or preventable alarms; panel reset	A \$50.00 fine may be assessed to the owner of a premises where the fire alarm has been reset before the fire department or assisting fire department arrives. \$100.00 for second and subsequent offenses
Sec. 46-8. Maintaining a known violation or hazard	
Subsec. (c)(1) Penalties; Any fines issued for violation of this section	Not less than \$25.00, nor more than \$1,000.00
<i>Article II. Fire Department</i>	
Sec. 46-44 Failure to answer alarms, orders and perform duties orderly; Penalties	Fine of not less than \$25.00, nor more than \$1,000.00 or by suspension from the fire department or both
<i>Article III. Fire Codes</i>	
Fees established in subsection (b) of this section shall be doubled in the event that a permit is applied for after construction has commenced without the permission of the fire marshal. The fire	

marshal shall waive the doubling of fees in cases where the permit applicant is not a professional contractor and the work is not being done by a professional contractor.	
Sec. 46-126. Fire prevention permit	
Subsec. (b) Fee; each applicant	\$25.00 for each \$1,000.00 of costs or multiple thereof of the fire protection system; provided that a minimum fee for each permit shall be \$150.00
Subsec. (c) Reinspection	
First reinspection	No charge
Second reinspection	\$100.00
Third reinspection	\$200.00
Any subsequent reinspection	\$250.00
Subsec. (d) Fire signaling system inspection fee	
Certificate of inspection	\$25.00 each fire alarm system
Exception: Apartment or other multifamily dwelling—Five or less buildings per complex	\$25.00 each fire alarm system
Exception: Apartment or other multifamily dwelling—More than five buildings per complex	\$15.00 each fire alarm system up to a maximum of 20 buildings. Maximum fee per complex not to exceed \$300.00 for fire alarm systems
Subsec. (e) Fire suppression system inspection fee	
Certificate of inspection	\$25.00 each fire suppression system
Exception: Apartment or other multifamily dwelling—Five or less buildings per complex	\$25.00 each fire suppression system
Exception: Apartment or other multifamily dwelling—More than five buildings per complex	\$15.00 each fire suppression system up to a maximum of 20 buildings. Maximum fee per complex not to exceed \$300.00 for fire suppression systems
Sec. 46-127 Smoke detection devices	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	

Subsec. (g) Violations; penalties	Revocation of any existing license to do business in the city, or a fine of not more than \$150.00 per violation, or both such penalties
<i>Article IV. Public Occupancies</i>	
Sec. 46-164. Fees	
Assembly	No charge for an occupant load less than 75; \$100.00 for an occupant load of 75 or greater
Assembly—Fixed Seating	\$100.00 for first 200 seats and \$10.00 each additional 50 seats
Educational	\$100.00
Day Care	\$50.00 for Day Cares as defined by Appendix B - Zoning, Article 5, Sections 14.22, 14.23 and 22.1; \$100.00 for other day cares
Health Care	\$100.00 first 25 rooms and \$5.00 for each additional room
Ambulatory Health Care	\$100.00
Residential	\$100.00 per building
Residential Board and Care	\$100.00
Mercantile over 10,000 sq. ft.	\$100.00
Business over 10,000 sq. ft.	\$100.00
Industrial	\$100.00
Storage over 10,000 sq. ft.	\$100.00
Assembly special provisions 1	\$25.00
Assembly special provisions 2	\$100.00
Sec. 46-168. Reinspection fee	
Subsec. (a) Amount	\$25.00 for any repeated violation cited by the fire marshal, determined to be a violation and which requires a follow up inspection to

	confirm the correction of the violation
Subsec. (b) Fee attached	A fee may be attached to any summons written for any violation found to be uncorrected upon reinspection
<i>Article V. Fire Lanes</i>	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 46-202. Violations; penalties	
Subsec. (c) Other obstructions	Any property owner or tenant found to be in violation; \$50.00
Subsec. (d) Failure to mark	Any property owner found to be in violation; \$50.00
Sec. 46-205. Responsibility of owner or tenant	Any property owner found to be in violation; \$50.00

ADOPTED: November 28, 2022

S:\ORDINANCES\2022\ADOPTED\ORDINANCE 2022-10 - CHAPTER 1 - GENERAL PROVISIONS, SECTION 1-17-GENERAL PENALTY SEPERATE OFFENSES; UNPAID FINES\ORDINANCE #2022-10 - GENERAL PROVISIONS_UNPAID FINES - ADOPTED NOVEMBER 28, 2022.docx

SYNOPSIS

This ordinance allows unpaid fines and fees for fines issued under the property maintenance code and certain unpaid fees under the fire code to be placed on the municipal lien docket as a lien against the property on which the violation occurred. Currently, only unpaid grass violation fees, rental fees, dangerous building, and vacant building fees are placed as liens on the property. As a result, there is a high level of compliance with the payment of these fines. We currently have over \$1,000,000 in unpaid fines that don't become liens. Fines and violations are meant to be an incentive to keep in compliance with the Code.

(SPONSORS: ANDERSON AND HUGG)

Actions History:

September 27, 2022 -Introduced at CCW, September 27, 2022

November 14, 2022 – First Reading at Council, November 14, 2022

November 28, 2022 – Second/Final Reading at Council, November 28, 2022