

ORDINANCE NO.: \_\_\_\_\_ - 2010

OF

JUNE 14, 2010

AN ORDINANCE ADOPTING CHAPTER 163  
ENTITLED "FEES" OF THE CODE  
OF THE CITY OF NEWBURGH

BE IT ORDAINED by the City Council of the City of Newburgh that:

Section 1. Chapter 163 entitled "Fees" of the Code of the City of Newburgh be and hereby is adopted as follows:

§ 163-1. Applicability.

Notwithstanding any other provision in this Code, the following schedule of fees is hereby established with respect to licenses, permits, registrations, applications, subscriptions and activities required or regulated under the provisions of the Code of the City of Newburgh. Specific requirements and regulations shall be as set forth in the chapter to which reference is made below. The following schedule of fees shall remain in effect until rescinded or amended.

Code Section	Type of Fee	Amount
§ C9.03	Removal of wastes from a dumpster	\$120.00 per month
§ C9.33(D)	Sanitation Stop Fee	\$20.00 per month per tax lot whether or not a building is erected thereon
	Dwelling Unit Fee	\$15.00 per month per dwelling unit
§ 30-8	Manual of Rules and Regulations For Electrical Examiners	\$5.00 per copy
§ 103-7	Police alarm device permit	\$50 annual permit fee

	Fire-suppression system installation application	2% of the approved estimated costs of the system
§ 103-21	False alarms: any alarm activation to which the Police Department personnel respond which is not the result of an unauthorized entry, fire, smoke or other emergency	
	[1] One to three per calendar year:	\$0.00
	[2] Four to 10 per calendar year:	\$50.00 per alarm
	[3] Eleven or more per calendar year:	\$125.00 per alarm
	Payable to the City Clerk by the property owner or lessee upon receipt of an annual billing statement from the City	
§ 108-7	Cabaret license	\$100.00 per year \$10.00 per day
	Bowling alley license	\$25.00 per year
	Roller-skating rink license	\$75.00 per year
	Boxing or wrestling match license	\$150.00 per year
	Motion-picture shows	\$150.00
§ 110-3	Public assembly permit	\$50.00
§ 114-13	License pertaining to games of chance	\$50.00
§ 121-3(B)	Vacant building annual registration fee	\$900.00
§ 122-14	Upon the filing of a building permit application for	
	New residential structure	\$250.00, plus \$0.25 per square foot of floor area

New commercial or industrial structure	\$350.00, plus \$0.25 per square foot of floor area
An addition, alteration, renovation or accessory building	\$12.50 per \$1,000 of construction value
Minimum fee	\$50.00
Building permit for demolition	\$75.00 per story
Failing to apply for a building permit prior to the commencement of work, the following fee shall be charged in addition to the amounts set forth above	50% of the application fee for a residential structure or \$200 for a commercial structure
Required inspections for building permit applications conducted outside of regular working hours	\$150.00
Informational Report	\$50.00
Surcharge for starting work without a permit	Residential: 50% of building permit fee.  Commercial/industrial: \$200.00

§ 122-21

Certificates of Occupancy	
Single-family or two-family residence	\$100.00
Residential accessory structure/residential addition, alteration or renovation	\$50.00
Multiple-family residence (three units and above)	\$300.00
Commercial/industrial	\$300.00

	Re-inspection	\$200.00
	Copy of certificate of occupancy	\$25.00
§ 125-4	Demolition Permit:	
§ 139-8	Crane permit	Up to three days: \$300.00 Four or more days: \$300, plus \$50.00 per day
§ 139-11	Temporary trailers used as Offices	Up to 10 days: \$50.00 Eleven to 30 days: \$100.00
	Scaffold permit	\$50.00 per erection
§ 150-9	Euthanization and burial of Dogs	Under 40 pounds: \$50.00 Over 40 pounds: \$65.00
	Euthanization of Cats	\$45.00
	Euthanization of kittens	\$25.00
§ 150-18(B)	Redemption of impounded dog	\$35.00
	Boarding:	
	For each animal which is placed in the care and custody of a private boarding facility	Actual cost of such placement, plus cost of veterinarian services and medication expenses incurred by the City while caring for such animal

	For each animal in the care and custody of the City of Newburgh Animal Control Officer boarded at City facilities	\$25.00 per day or part thereof; plus cost of veterinarian services and medication expenses incurred by the City while caring for such animal
§ 150-19	Dogs	Spay: \$77.00 Neuter: \$77.00 Rabies shot: \$28.00
	Cats	Spay: \$40.00 Neuter: \$23.00 Aids/Fiv combo: \$30.00
§ 150-22	In addition to the licensing fees established by § 110, Subdivision (1) of the Agriculture and Markets Law of the State of New York, the following local fees shall be charged	For each spayed or neutered dog: \$5.00  For each unspayed or unneutered dog: \$5.00
§ 155-6	Electrical Permit	\$25.00 per permit
§ 155-15	Master Electrician License (Class A)	New license: \$350.00 Renewal: \$300.00 every 2 years
	Master Electrician License (Class B)	Temporary (1 job only): \$750.00
	Special Electrician License (Class C)	New license: \$50.00 Renewal: \$50.00 per year
§ 155-23	Plate or sign	\$10.00

§ 158-5 Environmental Quality Review

Upon a determination that an action may or will have a significant effect on the environment (positive declaration), the applicant shall pay to the lead agency the actual cost to the lead agency of the preparation and review of the draft environmental impact statement under the State Environmental Quality Review Act up to a maximum of 2% of the project cost for residential projects and 1/2 of 1% of the total project cost for nonresidential projects. The lead agency shall require the applicant to deposit what it deems to be a sufficient amount in an escrow account to cover such costs, which sum shall be drawn against in the course of the SEQRA process. Subsequent deposits shall be required as needed. If the applicant elects to prepare a draft environmental impact statement (DEIS), the lead agency may still, at its discretion, collect its costs pursuant to this section in preparing its own DEIS as well as any costs incurred in the review of any DEIS prepared by the applicant.

§ 166-3	Fence permit	\$25.00
§ 172-7	Blasting permit:	\$250.00
§ 172-10	Nightclub (licensed premises) inspection	\$250.00
	Fireworks permit	\$75.00
§ 175-13	Floodplain development permit application	\$100.00
§ 181-6	Garage sale permit	\$3.00
§ 183-17	Vehicle license for private garbage collectors	\$200.00
§ 183-19	Sanitation permit for commercial properties	\$15.00
§ 190-27	Violation search	\$100, plus \$0.25 per page
	Street reports	\$20.00
	All requests for certification letters, including but not limited to flood control, certification, certificates of occupancy, abstract, title search, zoning and road ownership certificates	\$100.00 per certified letter
§ 198-10	Junkyard license	\$250 annually
§ 207-4	Letter and parcel receptacles	Annual permit fee: \$25.00

		Renewal: \$25.00 Inspection fee: \$10.00
§ 209-5	Newsracks	Annual permit fee: \$25.00 Renewal: \$25.00 Inspection fee: \$10.00
§ 220-12	Use of Downing Park	
	Application fee	\$50.00
	Usage fees (per hour/per event)	\$80.00 for events with 40 participants or less; \$150.00 for events with 41 to 100 participants; \$250.00 for events with 101 to 300 participants; \$400.00 for events with 301 participants or more
	Refundable damage fee	\$500.00
§ 220-17	Delano-Hitch Recreation Park	
	Use of multipurpose activity center building	
	Application fee	\$50.00
	Usage fees	Organizations whose membership 50% or more City of Newburgh residents: [a] \$200 for four hours or less; [b] \$50 for each additional hour, or part thereof; Organizations whose membership is less than 50% residents: [a] \$400 for four hours or less; [b] \$100 for each additional hour, or part thereof;

		Usage fees shall be reduced by 25% for any group or organization sponsoring 10 or more events in any calendar year.
	Use of facility's kitchen	\$100.00
	Refundable damage fee	\$500.00
§ 220-19	Use of Aquatic Center and Athletic Fields	
	Swimming pool; operated in two hour sessions	Children 5 and under: free  Children 6 to 17 Season Pass: City resident: \$15.00 Non-City resident: \$40.00  Adults 18 and over: City resident: \$40.00 Non-City resident: \$80.00  Summer Camp Programs: \$2.00 per child per day.
	Softball diamonds	Per game: \$200.00  League fee: \$225 per team  All games played by the City of Newburgh Little League Baseball Program shall be approved pursuant to a separate license agreement between the Program and the City Manager
	Soccer field	City of Newburgh-based youth teams: \$50 per day game; \$75 per night game  Non-City youth teams: \$200 per day game; \$350 per night game

	<p>City of Newburgh-based adult teams: \$125 per day game; \$175 per night game</p> <p>Non-City adult teams: \$300 per day game; \$350 per night game</p> <p>Adult league: \$800 per team</p>
Football field	<p>Non-City youth teams: \$175 per day game; \$200 per night game</p> <p>City of Newburgh-based adult teams: \$250 per day game; \$350 per night game</p> <p>Non-City adult teams: \$450 per day game; \$550 per night game</p> <p>All games played by the City of Newburgh Pop Warner Football Program shall be approved pursuant to a separate license agreement between the Program and the City Manager</p>
Basketball courts	<p>Tournaments: \$200 per day</p> <p>Leagues: [1] City-based leagues: \$125 per team [2] Non-City-based leagues: \$175 per team</p> <p>Use of area for non-basketball event: \$250 per day</p>
Summer camp for ages six years to 13 years old	<p>Residents: \$100 per two-week session</p> <p>Nonresidents: \$200 per two-week session</p>

§ 220-21	Launching boat or jet skis at Newburgh Boat Launch	\$8.00 per day per boat/jet ski
§ 220-23	Docking at Newburgh Landing  One-time permit  Monthly or annual permit	Permit for recreational vessels over 40 feet in length (by length of boat): \$1 per foot Permit for all commercial vessels (by length of boat): \$1 per foot  Vessels with a capacity of fewer than 100 persons: \$125 per week. Vessels with a capacity of 100 or more persons: \$200 per week
§ 220-34	Use of Delano-Hitch Stadium  Non-Sporting Event  Application fee  Usage fees	\$50.00  For each event and/or program sponsored by New York State, not-for-profit organizations in which residents of the City of Newburgh comprise 50% or more of such group's or organization's membership: \$100.00 For each event and/or program sponsored by New York State, not-for-profit organizations in which residents of the City of Newburgh comprise less than 50% of such group's or organization's membership: \$200.00

For each event and/or program sponsored by any other type of organization in which residents of the City of Newburgh comprise 50% or more of such group's or organization's membership: \$250.00

For each event and/or program sponsored by any other type of organization in which residents of the City of Newburgh comprise less than 50% of such group's or organization's membership: \$700.00

Usage fees shall be reduced by 25% for any group or organization sponsoring 10 to 20 events in any calendar year

Any group or organization sponsoring more than 20 events in any calendar year shall pay usage fees set by the City Manager with the approval of the City Council

Security deposit

For organizations in which City of Newburgh residents comprise 50% or more of such organization's membership: \$500.00

For organizations in which City of Newburgh residents comprise less than 50% of such organization's membership: \$1,000.00

Sporting events

City-of-Newburgh-based youth teams, where 50% or more of the team's roster is comprised of City of Newburgh residents: no charge

Non-City youth teams: \$100 per day game; \$125 per night game

City-of-Newburgh-based adult teams: \$100 per day game; \$150 per night game

Non-City-based adult teams: \$125 per day game; \$175 per night game

All fees and charges referred to in this subsection may, upon the approval of the City Council, be deemed satisfied, in whole or in part, by labor performed by the members of the group or organization in the maintenance of the field at Delano-Hitch Stadium and the grounds of the Delano-Hitch Recreation Park as may be deemed appropriate by the City Manager or the City Manager's designee

Use of parking lot for non-sporting event \$250.00

§ 223-6

Peddler's License

Non-refundable application fee \$75.00

License fees

Activity	Per Week	Per Month	Per Year
Peddling on foot	\$10	\$25	\$100

	Peddling with handcart or pushcart	\$25	\$50	\$200
	Peddling with vehicle (1 person)	\$25	\$50	\$200
	Each helper to person peddling with a vehicle	\$5	\$40	\$50
§ 230-10	Plumbing Examinations			
	Non-refundable application fee (includes 1 re-examination)		\$300.00	
§ 230-15	License (certificate of competency)		Certificate of registration: \$250.00	
§ 230-16	Renewal		Within 30 days of expiration: \$100.00	
			If renewed after January 1: \$125.00	
			Sticker: \$5.00 per vehicle per year	
§ 230-32	Plumbing Permit		1-5 fixtures: \$30.00	
			6 or more fixtures: \$50.00	
§ 235-7	Renting Space in Public Market		\$10.00 per space per day	
§ 239-8	Public Records			
	Photocopies of municipal records (9 inches by 14 inches)		\$0.25 per page	
	Photocopies of municipal records in excess of 9 inches by 14 inches in size or reproduction of records by methods other than photocopying		Actual cost of reproduction, as determined by the City Manager	
	Inspection of records, search for records or any certification pursuant to Chapter 239 of this Code		No fee	

Fees for copies of ordinances and official documents shall be as follows:

	Printed copies of codes:	Zoning Ordinance: \$25.00
		Subdivision Regulations: \$15.00
	Fees of Bureau of Vital Statistics: as set by state statute.	
	Police Department reports:	All reports: \$5.00
		Copies: \$0.25 per page
		Certification: \$1.00
	Fire Department reports:	Fire report: \$5.00
		Fire investigation report: \$25.00
§ 240-9	Change in rental property registration statement	\$25.00
§ 242-4	Fishing in City reservoirs	
	Daily permit with use of City-owned boats, 1 person	City resident: \$6 per day Non-City resident: \$10 per day
	Extra passengers	Two City residents in a boat: \$10 per day. Two non-City residents in a boat: \$18 per day Three City residents in a boat: \$14 per day Three non-City residents in a boat: \$26 per day
		Person 60 years of age and older: City residents: free on Monday Non-City residents: half price on Mondays

§ 248-1	Minimum sewer charge	\$1.00 per quarter
§ 248-7	Septic systems and other private sewage disposal systems	Residential new system or repair of existing: \$100.00
§ 248-8	Sewer connections (openings or alteration)	Residential (one- and two-family): \$100.00  Multifamily (three and above), commercial, industrial gravity sewer connection: \$200.00
§ 248-19	Permit for the discharge from private sewage disposal system to public sewer	
	Application fee	\$100.00
	Discharge fee	The rate established by the sewage treatment plant manager based upon the cost of processing the particular type of waste, market conditions, and the risks entailed to the plant by the processing of that particular type of waste so as to provide a reasonable return to the City, provided that such rate shall be no less than \$5 per 1,000 gallons of waste or the sewer use rent as may be established by § 248-1B of this Code multiplied by the rate per 1,000 gallons for outside City water users as may be established in this Chapter of this Code, whichever is greater.
§ 248-43	Scavenger waste discharge	Annual license fee for vehicles transporting sewage to treatment plant: \$25.00

		Discharge per 1,000 gallons or fraction thereof: \$5.00
	Laundry sewage disposal	Sewage sludge: \$0.13 per gallon
		Septage: \$0.13 per gallon
		Leachate: \$0.13 per gallon
		Laundry sewage: \$0.05 per gallon
§ 248-44	Industrial waste discharge permit	Industrial users: \$1,500.00 per year
		Significant industrial users: \$11,500.00 per year
§ 249-5	<b>Sidewalk Café permit</b>	<b>\$100.00 annually.</b>
§ 250-8	Sign permit	\$100.00
§ 257-3	Wood- or coal-burning stove permit	
	Construction	\$25.00
	After three days	\$50.00 per day
§ 263-5	Sidewalk permit	\$50.00
	Curb cut permit	\$75.00
§ 263-12	Permit to use fire hydrant	\$100.00 per day
	Deposit for connection and wrenches	\$100.00
§ 263-15	Street opening permit	\$175.00
§ 263-24	Permit for installation of gasoline tanks	\$350.00
	Permit for installation of combustible liquid tank	

	Tanks of 275 gallons (up to two tanks)	no fee
	Tanks of 550 gallons	\$50.00
	Tanks of 1,000 gallons and larger	\$250 for tanks of 1,000 gallons and \$15 for each additional 1,000 gallons of tank capacity
	Permit for tank removal	\$25.00 per tank
§ 263-26	Operation of petroleum dispensers	\$100.00 per year
	Gas pump within line of street	\$50.00 per year
§ 266-22	Subdivision of Lands	
	Lot line change and two-lot subdivision of parcel containing an existing residential structure	\$200.00
	Minor subdivision of four lots or fewer	\$200.00
	Major subdivision of five lots or more	\$200.00 plus \$50 per lot

Cost of professional services required in subdivision review process

On all applications for subdivision approval to the Planning Board, the applicant shall, in addition to any fees established pursuant to Chapter 266 and in addition to any fees established by Chapter 158 of this Code, pay the actual cost of the following services which may be reasonably required by the Planning Board in the processing of the application:

- [1] Engineering services
- [2] Review during construction, inspection services
- [3] Planning services

The sums of money deposited pursuant to this subsection shall be placed in an escrow account to cover such costs, which account shall be drawn against in the course of the review of the particular application. Subsequent deposits shall be required as needed.

	Inspection of public improvements	4% of the value of bonded improvements
	Recreation fee in lieu of land at the Planning Board's discretion	\$500 per lot for a subdivision of four lots or fewer (minor subdivision); provided, however, that if a lot contains an existing single-family dwelling unit, such lot (and only one) shall be excluded from the calculation; \$500 per lot including the first four lots for subdivisions greater than four (major subdivision). For residential site plans, including but not limited to newly created condominiums, multiple dwellings (three and greater) and two-family homes: \$1,000 for each residential unit.
	Public hearing	\$150.00, plus \$50.00 for obtaining a public hearing notification list from the City Assessor
§ 272-5	Taxicab driver's license application	\$100.00
§ 272-7	Taxicab driver's license	\$100.00 per year
§ 272-11	Taxicab license fee	\$400.00 per year
§ 272-19	Taxicab vehicle license transfer fee	\$100.00
§ 272-20	Replacement license, permit, card, badge or tag	\$25.00
	Taxicab driver's license replacement photograph application	\$2.00

§ 275-3	Telephone booth permit	
	Application fee	\$25.00 per pay telephone
	Renewal application fees	No change in location: \$10.00 Change in location: \$25.00
§ 288-29	Loading zone designation	\$100.00 per year
§ 288-34	Handicapped parking space designation	\$25.00
§ 293-22	Backflow preventer	
	Application fee	\$100.00
	Administrative processing fee for late filing of annual backflow prevention device testing report	\$25.00
§ 293-34	Tap fees	
	The following utility connection fees shall be charged for all new connections to water and sewer systems in the City of Newburgh	One- and two-family residential: \$100.00  Multi-family (three and above), commercial, industrial: \$300.00

Water meters up to two inches in size shall be supplied by the City at no cost. The cost for meters over two inches shall be paid by the owner/applicant and shall be purchased by the owner/applicant from the supplier for the type and manufacturer as indicated by the Superintendent.

The owner/applicant shall be responsible for the installation of the connection line from the main to the building, including the tapping valve or corporation stop, curb stop and box, as well as the meter and remote. All connection permit charges shall be paid at the time the application is approved.

Charge for restoration of service. When water service to any premises is requested to be turned off or when water service to any premises has been turned off upon the order of the owner/customer or for any of the above reasons and service at any premises is again desired by the same owner/customer, including seasonal customers, it shall be done by a City of Newburgh licensed plumber at the cost to the owner/customer. If the City shuts off the water service at the water main for any violation of Chapter 293, the owner shall be charged the actual cost of the termination which shall be included on the owner's next water bill. If the owner requests the water service to be turned on after the violation of Chapter 293 has been corrected and lifted by the Superintendent, the reconnection shall be done by a City of Newburgh licensed plumber and contractor with all costs borne by the owner.

Private sprinkler charge for connection to City mains

Size of Lateral (inches)	Charge Per Year
2	\$36
3	\$54
4	\$72
6	\$135
8 and larger	\$180

§ 293-35      Check reading of water meter fee      \$35.00

Whenever the accuracy of a meter reading is questioned by the owner/customer, a check reading of the meter shall be done by the Water Department. The expense incurred in making such check reading shall be borne by the owner/customer, except on the occasion when the reading was found to be inaccurate, the cost shall be borne by the City.

Meter test fee (requested by owner):

Meter Size (inches)	Fee
5/8 to 1	\$25
1 1/2 to 2	\$40

Inspections and tests      Water: \$25.00  
    Sewer: \$25.00

Sewer and water: \$50.00

Performance of dye or peppermint test: \$50.00 plus the cost of the dye or peppermint up to \$20.00 per pound

Water system flow test or fire hydrant flow test: \$150.00 per hour

§ 293-36 The charge for maintenance, repair or replacement of the water meter because of improper use, accident, freezing, vandalism, theft or removal without permission of the Superintendent or any other extraordinary cause shall be \$250, plus the actual cost of labor and parts required to repair or replace the meter. The penalty for unauthorized interference with, tampering with, unsealing of or removal of water meters shall be \$500, plus cost of parts and labor for repair, replacement and/or resealing of meter. The charge for replacement of missing water meters shall be \$1,000, plus the actual cost of parts, labor and the cost to purchase a new meter.

§ 293-37 Final/closing reading of meter at customer request \$35.00

§ 293-38 Quarterly metered water rates

Quarterly metered rates per 1,000 gallons

First 1,000 gallons Inside City: \$5.570  
Outside City: \$8.360.

Additional usage will be charged at a flat rate of \$5.570 (\$8.3690 outside City) per 1,000 gallons.

Minimum quarterly charge.

Meter Size (inches)	Gallons Allowed	Inside City	Outside City
+5/8	6,000	\$33.42	\$50.16
3/4	14,000	\$77.98	\$117.04
1	24,000	\$133.68	\$200.64
1 1/2	42,000	\$233.94	\$351.12
2	83,000	\$462.31	\$693.88
3	120,000	\$668.40	\$1,003.20

4	180,000	\$1,002.60	\$1,504.80
6	315,000	\$1,754.55	\$2,633.40
8	675,000	\$3,759.75	\$5,643.00

A surcharge shall be added to the above charges for water services in the amount of 14%. This extra charge is made for the purpose of financing the cost of obtaining water from the New York City Aqueduct. Such surcharge shall be effective on October 1, 1981, and shall continue to be made in every quarterly billing period in which any water is taken from the Aqueduct tap.

Water Facility Charge	Each single-family dwelling will be assigned one unit
	Each two-family dwelling will be assigned 1.75 units
	Each three-family dwelling will be assigned 2.5 units
	All other properties within the City, other than one, two and three family dwellings, will be assigned one unit for every \$30,000.00 in their total assessed value (approved prior to applying exceptions, abatements, etc.)
Quarterly water facility charge	\$7.30 per unit as determined above
Minimum water facility charge	\$1.00 per quarter
Hydrant charge, outside City	\$64 per hydrant per year
§ 297-6 Wreckers and towers	
	Annual license fee
	\$150 for the first two vehicles
	For each truck or vehicle in excess of two: \$25.00
§ 300-14 Swimming or bathing pool permit	\$50.00

§ 300-26	Architectural Review Commission	
	Application for certificate of appropriateness	With public hearing: \$100.00  Without public hearing: \$25.00
	Application for advisory review of an application for a variance or special permit which does not involve issuance of a certificate of appropriateness	Free
	Application for a certificate of appropriateness only in connection with the erection of a sign subject to a sign permit fee, provided that such sign is to be either a wall sign not exceeding 25 square feet of surface area or a projecting sign not exceeding nine square feet of area on one side	\$50.00
§ 300-36	Planning Board	
	Special use permit application	Residential: \$150.00  Commercial: \$250.00
	Transcript of proceedings	\$3.00 per page
	Assessor's public hearing notification list	\$50.00
§ 300-51	Planning Board	
	Site Plan application	Residential (4 or fewer dwelling units): \$300.00 Residential (5 or more dwelling units): \$300.00, plus \$150 per unit  Commercial: \$1,000.00 plus \$200.00 per 1,000 square feet of floor area
	Inspection of public improvements	4% of the approved estimated value of bonded improvement

Cost of professional services required in site plan review process

On all applications for site plan approval to the Planning Board, the applicant shall, in addition to any fees established pursuant to Chapter 300 and in addition to any fees established by Chapter 158 of this Code, pay the actual cost of the following services which may be reasonably required by the Planning Board in the processing of the application:

- [1] Engineering services
- [2] Review during construction, inspection services
- [3] Planning services

The sums of money deposited pursuant to this subsection shall be placed in an escrow account to cover such costs, which account shall be drawn against in the course of the review of the particular application. Subsequent deposits shall be required as needed.

§ 300-80 Zoning Board of Appeals

Application for variances and requests for interpretation	Residential: \$150.00 Commercial: \$250.00
Transcript of proceedings	\$3.00 per page
Assessor's public hearing notification list	\$50.00

§ 300-83 Miscellaneous planning, zoning and Building Department fees

Applicants shall, at the discretion of the particular Board involved, reimburse the cost of professional services required in the review process based on the most current rate. Payment shall be made prior to each stage of submission.

Re-inspection, other than for a certificate of occupancy for the same site	Residential site: \$40.00 per additional inspection of the same site for the same purpose
--	---

Commercial site: \$75.00 per additional inspection of the same site for the same purpose

Inspections requested outside normal business hours \$150.00, plus reimbursement of overtime costs

Subdivision, site plan, architectural review and site preparation application professional service fees; commercial permit review.

(1) Legislative intent. By enactment of this section, the City Council of the City of Newburgh recognizes the need of ensuring that the engineering, planning, technical, environmental, legal and clerical costs incurred by the City in processing and reviewing land use approvals be borne by the applicant/developer and not by the general public. To this end, it is the intent of this section to require the applicant/developer within the City of Newburgh to deposit with the City, in escrow, certain fees which are reasonably related to the complexity of the application and necessitate review by the City through its consultants as a condition precedent to the processing and review of any application. Additionally, this section shall also require the deposit of escrow fees with the City to cover the costs for review of an applicant/developer's environmental impact statement in accordance with Environmental Conservation Law § 8-0113 and 6 NYCRR 617.17.

(2) Fees for certain actions before the Planning Board.

(a) Upon application to the City of Newburgh Planning Board for any planning action or approval, the applicant shall deposit with the Secretary to the Planning Board an escrow to cover the costs being incurred by the City for all consultant services, including but not limited to engineering, planning and legal as well as clerical costs incurred in the processing and reviewing of such application.

(b) The City of Newburgh Planning Board shall compute the initial escrow charge in accordance with the following schedule:

[1] Residential subdivision: \$500.00

[2] Commercial subdivision: \$1,000.00

[3] Multifamily residential site plans and special permits: \$100.00 per dwelling unit.

[4] Commercial or other nonresidential site plans and special permits: \$1,000.00 plus \$200.00 per 1,000 square feet of building floor area or part thereof.

[5] State Environmental Quality Review Act (SEQRA):

[a] Long environmental assessment form: \$1,000.00

[b] Environmental impact statement: \$7,500.00

[c] Inspection fee for subdivision: 4% of amount of performance bond.

(c) Planning review fee deposits shall be made to the Secretary to the Planning Board and shall be placed in a separate non-interest-bearing account by the City of Newburgh.

(d) No review shall be under taken by the consultants nor shall the matter be scheduled before the Planning Board until the escrow account and all fees as set forth herein are paid.

(e) If the escrow account falls below 40% of the initial deposit, the Planning Board may, if recommended by the consulting engineer, planner or attorney, require that the applicant pay additional funds into the escrow account of up to 75% of the initial deposit.

(f) In the event that an applicant shall withdraw his application at any stage of the proceedings or when the application review and approval process has been completed, the balance of funds after payment of all outstanding charges in the applicant's account shall be either remitted to the applicant within 60 days of final action by the Planning Board or, if so directed by the applicant, shall remain on deposit as the applicant's initial payment during the post-approval inspection requirements.

(g) The applicant shall be responsible for the payment of all the consultant services incurred by the Planning Board notwithstanding that the escrow account may be insufficient to pay for said fees or expenses.

(h) In the event that the Planning Board in the course of reviewing an application determines that the proposed action requires a positive declaration under SEQRA, all costs incurred by the Board for the review of any environmental impact statements, whether of a professional or clerical nature, shall be borne by the applicant pursuant to 6 NYCRR 617.8(a). Such costs shall be covered by an escrow account established pursuant to this subsection within 15 days of said positive declaration, in an amount as set forth in this Subsection E(2)(b).

(3) Pending applications. All applicants with matters pending before the Planning Board as of the effective date of this section shall be required to post an escrow in the manner and upon the terms and conditions set forth below:

(a) The Planning Board, in consultation with the applicant, shall compute the amount of the escrow to be posted with the City. Such amount shall be reasonably related to the costs attendant to the City's review of the application as of the effective date of this section. Under no circumstances shall the escrow include amounts attributable to any costs incurred by the City prior to the effective date of this section.

(b) Once computed and established by resolution of the Planning Board, the applicant shall, within 15 days of said resolution, post the escrow fees with the Secretary of the Planning Board. Failure to deliver said escrow fees may result in delay of the further processing of the application.

#### Rezoning fees

(1) Application to amend Zoning Ordinance or Zoning Map.

(a) For residential zoning amendments involving a single lot with single-family residences as the primary structures: \$200.00

(b) For all other residential and for commercial zoning amendments: \$300.00

(2) Costs of professional services required for review of zoning amendment application: at cost of professional services invoiced to City of Newburgh.

(3) The applicant shall also be required to pay upon presentation the actual costs of publication and mailing of any and all notices required by any provision of this Code and other provisions of law.

(4) Public hearing: \$150.00 plus cost of publication and transcription.

Professional service fees for rezoning applications, inspections, improvement districts, dedications and agreements.

- (1) Legislative intent. The City Council of the City of Newburgh hereby finds and determines that in order to protect and safeguard the City of Newburgh, its residents and their property, with respect to certain land developments in the City, applications for zoning amendments and rezonings should conform to the City's Comprehensive Plan as it may be amended from time to time and be the subject of such environmental reviews as are required by law; landscaping installations and erosion and sediment control measures should be designed and installed in a competent and workmanlike manner and in conformity with approved plans and all applicable government codes, rules and regulations; and special improvement district extensions and establishments, outside use agreements and dedications and conveyances to the City should be made in a legally sufficient manner. In order to assure the foregoing, it is essential for the City to have competent professionals retained by the City to review and make recommendations regarding proposed zoning amendments and rezonings, plans and designs to the City Council and Planning Board, inspect landscaping and erosion and sediment control measures, negotiate and draft appropriate agreements with those persons installing or constructing or proposing to install or construct highway, utility, drainage or park improvements to be dedicated or connected to City facilities, obtain, review and approve deeds, easements, securities, insurances and other legal instruments to assure that the City obtains good and proper title and is otherwise adequately protected. The costs of retaining such competent professionals should ultimately be paid by those who seek to profit from such developments rather than from the City general or improvement district funds which are raised by assessments paid by the taxpayers of the City.

- (2) Authority. This subsection is enacted under the authority of Subparagraphs a(12) and d(30) of Municipal Home Rule Law §§ 10(1)(ii) and 22. To the extent that General City Law §§ 83, 27-a, 32 and 33 do not authorize the City Council or City Planning Board to require the reimbursement to the City of professional expenses in connection with the review, inspection and approval of landscaping, erosion and sediment control measures for subdivisions and site plans, review and approval of districts and dedications and amendments to the Zoning Law, it is the express intent of the City Council to amend and supersede such statutes. More particularly, such statutes do not authorize the deferral or withholding of such approvals in the event that such expenses are not paid to the City. It is express intent of the City Council to change and supersede General City Law §§ 83, 27-a, 32 and 33 to empower the City to require such payments as a condition to such approvals.
- (3) The applicant for approval of a zoning amendment or rezoning by the City Council shall reimburse the City for all reasonable and necessary professional expenses incurred by the City in connection with the review, preparation and consideration of such zoning amendment or rezoning and all environmental reviews in conjunction therewith.
- (4) A person who installs landscaping or erosion and sediment control measures or constructs or proposes to construct highway, drainage, utility or park improvements within or in conjunction with an approved subdivision or site plan in the City shall reimburse the City for all reasonable and necessary expenses incurred by the City in connection with the inspection of the landscaping or erosion and sediment control measures and the acceptance by the City of said highway, drainage, utility or park improvements and the dedication of same to the City.
- (5) Simultaneously with the filing of an application for a zoning amendment or rezoning, the applicant shall deposit with the City Comptroller an escrow to cover the costs being incurred by the City for all professional services incurred in the reviewing of such application.
- (6) Prior to final approval of a subdivision or site plan, the applicant shall deposit an escrow to cover the costs being incurred by the City as described above.
- (7) The initial deposits required to fund escrow accounts shall be established by the City Council by resolution, and the City Council may increase or decrease said amounts by resolution from time to time.

- (8) Upon receipt of such sums, the City Comptroller shall cause such sums to be deposited in a non-interest-bearing account in the name of the City and shall keep a separate record of all such monies so deposited.
- (9) Upon receipt and approval of itemized vouchers from a professional for services rendered on behalf of the City pertaining to a project, the City Manager shall cause such vouchers to be paid out of the monies so deposited and shall furnish copies of such vouchers to the depositor upon request following their submission to the City.
- (10) All vouchers submitted by professional consultants shall be reviewed and audited by City officials in the same manner as all other charges. The City shall approve payment of only such fees as are reasonable in amount and are necessarily incurred by the City in connection with the review. A fee shall be considered reasonable in amount if it bears a reasonable relationship to fees prevailing in the surrounding geographical area for similar services in similar projects. In determining similarity of services and projects, the City may consider the size of the project and installations, the topography, soil conditions, drainage conditions, surface water conditions, other site constraints, the nature of the improvements to be installed or constructed, the nature of the planning, landscaping, engineering or legal issues arising in the factual context of the application. In determining whether the fees were necessarily incurred, the City may consider, in addition to the factors listed above, the nature of the materials provided by the applicant, the manner in which the service relates to the issues which must be decided by the City in reviewing the application, whether the service provided reasonably assists the City Council in performing a function required by law or regulation and such other factors as may be relevant in the factual context of the application. Records shall be maintained showing all amounts deposited, and all amounts paid from the escrow account and all bills and vouchers submitted by the City professional consultants. The applicant shall in no case be billed for more than the City has actually expended for consultant review fees, and review fees attributable to environmental reviews under the State Environmental Quality Review Act (SEQR) shall in no event exceed the maximum amounts to be charged pursuant to the SEQR regulations.
- (11) Within 30 days of receiving any voucher for professional consultant fees, whether it has yet been paid or not, an applicant may file a written request to the City Council seeking review of the charges therein to determine whether such fees are reasonable in amount and are necessarily incurred by the City in connection with the review, under the standards set forth in this section.

- (12) When the balance in such escrow account is reduced to 40% of the initial deposit, the applicant shall replenish the amount of the escrow account to the original amount or such reduced amount as the reviewing Council shall determine appropriate. If the applicant for a zoning amendment or rezoning fails to make the escrow deposit, or fails to promptly replenish the amount in the escrow account within 15 days of the City's request, professional reviews shall not begin or continue, as the case may be, until such time as the escrow account is funded or replenished. The reviewing Council may also consider an application abandoned if nonpayment of escrow fees continues for more than two months, and the reviewing Council may deny an application based upon such abandonment.
- (13) In the event that any approval is granted and professional review fees remain to be paid, the reviewing Council shall not take any further administrative action in furtherance of the approval until sufficient provision is made for the payment of these fees. For example, no rezoning amendment at the request of the applicant shall be forwarded for filing with the Secretary of State until the City Comptroller has certified in writing to the City Clerk that all professional review fees actually incurred to date have been fully paid and/or reimbursed, and that sufficient escrow amounts remain to cover any professional review costs which will be incurred thereafter until the conclusion of the matter.
- (14) Issuance of building permits and certificates of occupancy. No building permits or certificate of occupancy or use shall be issued unless all professional review fees charged in connection with the project have been paid and reimbursed.
- (15) Any balance remaining in the escrow account shall be refunded within a reasonable time upon the applicant's request, upon completion of the project, or upon withdrawal of an application, after all fees already incurred by the City are first paid and deducted from the escrow account.
- (16) In the event the applicant fails to reimburse to the City funds expended to consultants as provided herein, the City may seek recovery of billed and unpaid fees by bringing an action venued in a court of appropriate jurisdiction, and the applicant shall pay the City's reasonable attorney fees in prosecuting such action in addition to any judgment.

§ 163-2. Miscellaneous fees.

Code compliance

Pre-rental inspection: \$75.00  
each re-inspection: \$50.00

Boiler permit \$25.00

Place of assembly category buildings,  
annual inspection: \$150.00

Commercial buildings  
(other than public assembly category),  
annual inspection: \$75.00

Road dedication: \$250.00, plus the cost of  
recording and other  
incidental expenses to process  
the application; said fee is not  
returnable

Dumpster permit for construction,  
demolition or rehabilitation of property  
For the first 7 days: \$35.00  
Per week after the first 7 days:  
\$35.00

Police Department

Fingerprinting  
Full set: City residents: 25.00  
Non-City residents:  
\$75.00

Thumbprint by Clerk: \$5.00

BB gun permit: \$5.00

City Clerk

Issuance of certification of cancellation of tax lien	First certification: free per tax lot Replacement certification: \$25.00 per tax lot
---	---

City Collector

Search of tax records and calculation of taxes owed	\$75.00 per tax lot
Returned check fee	\$20.00

Law Department:

Preparation and review of documents in connection with the purchase of real property from the City	\$200.00 per tax lot, payable at closing
--	--

Preparation and review of resolutions, documents and related services by the Law Department in connection with requests by private parties to the City for an action, enactment of a resolution or execution of a document in connection with that private party, will be charged an amount equal to the reasonable cost to the City to render such services as established by the Law Department and approved by the City Manager.

Geographic information systems

Mapping	\$40.00 per hour (length of time to be determined by the GIS Analyst)
Printing (by paper size)	The first eight-inch by eleven-inch copy: \$5.00; each additional copy: \$3.00  The first eleven-inch by seventeen-inch copy: \$10.00; each additional copy: \$6.00

	The first customized paper size up to 36 inches by 40 inches: \$25.00; each additional copy: \$15.00
	The first copy larger than 36 inches by 40 inches: \$30.00; each additional copy: \$18.00
Data	Building footprint data: \$50.00
	Parcel data: \$100.00
	Orthoimagery: \$200.00
	All other data: \$20.00 per request
Subscription	\$100.00 per year for Interactive Mapping Services
Administrative fee	15% of the total fee per order

#### Civil service examination fees

Fees for application for any civil service open competitive exams for the position of police officer or fire fighter for which the New York State Department of Civil Service has provided the examination and rated the candidates shall be \$40.00

Fees for application for all other open competitive exams for civil service positions for which the New York State Department of Civil Service has provided the examination and rated the candidates shall be \$20.00

Candidates for promotional examinations who are employees of the City of Newburgh or of the Newburgh Enlarged City School District at the time of application for the examination shall pay to the City of Newburgh a fee of \$15.00 and shall pay that portion of the fee mandated by and payable to the State of New York Department of Civil Service (\$7.50).

Applicants for civil service examination who satisfy any one of the criteria stated herein shall be entitled to a waiver of the payment of any examination fee(s) upon the provision of certification of their eligibility therefor which is satisfactory to the City as follows:

Individuals who are unemployed and primarily responsible for the support of a household; or

Individuals who are eligible for Medicaid, or receiving supplemental security income (SSI) payments; or

Individuals who are receiving public assistance in the form of temporary assistance for needy families/family assistance or safety net assistance, or are certified eligible for Job Training Partnership Act/Workforce Investment Act programs through a state or local social services agency

Content of waiver form:

To qualify and be approved for the waiver of examination fees provided herein, applicants must demonstrate to the satisfaction of the City that they qualify. Applicants may do so by submitting a signed and notarized form to the City of Newburgh Civil Service Administrator. The format of such form shall be approved by the Civil Service Commission and shall comply with the legal and regulatory requirements of the state, and shall provide, at a minimum, the following:

A reproduction of that portion of Civil Service Law Section 50.5(b) providing the legal authority for the subject waiver;

The examination title(s), exam number(s) and examination date(s);

Indication of the criteria which qualifies the applicant for the waiver;

A certification statement to be signed by the applicant and notarized by a New York State notary public attesting to the applicant's eligibility and stating the possible consequences of false statements;

The applicant's name, address, telephone number, social security number, the date of the application, a place for the notary seal, and such other information as the Civil Service Commission may appropriately require.

All information which is protected by privacy and security laws and other protections shall be kept confidential by the City and not publicly disclosed.

§ 163-3. Penalties for offenses.

- A. Failure to pay the fees as stated in this chapter of the Code of Ordinances of the City of Newburgh shall be punished as provided in § 1-12 for violation of this chapter of the Code of Ordinances of the City of Newburgh.
- B. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects. Each day that prohibited conditions exist shall constitute a separate offense.

§ 163-4. Exemptions from fees.

Notwithstanding any other provisions of this Code of the City of Newburgh, the Newburgh Industrial Development Agency shall be exempt from the payment of any and all fees to the City of Newburgh as established in this chapter or in the Code of the City of Newburgh.

§ 163-5. Service charges for handling funds.

The City Comptroller shall impose the following service charges for receiving, handling and disbursing the following funds and coupons substituted by contractors in lieu of a retained cash percentage:

- A. Coupon bonds. Five percent of the matured coupon amount shall be paid to the Comptroller as a condition precedent to releasing the matured coupons to the owner.
- B. Other interest-bearing securities without coupons. Five percent of the interest payable on such security during the period held by the Comptroller as a condition precedent to the release of such securities.
- C. Non-interest-bearing securities. No fee shall be charged.

Section 2. This Ordinance shall take effect immediately.