



**AGENDA MATTER:**

**PUBLIC HEARING – APPROVING AND ADOPTING A RESOLUTION HAVING THE BUILDING STANDARDS ADMINISTRATION SPECIAL REVOLVING FUND FEE ESTABLISHED WITHIN THE CITY OF BARSTOW BUILDING DEPARTMENT FEE SCHEDULE.**

**EXECUTIVE SUMMARY:**

The City Council at it's January 20, 2009 meeting set the time, date and place for a public hearing to adopt Resolution No. to incorporate the Building Standards Administration Special Revolving Fund Fee into the City of Barstow Building Department Permit Fee Schedule. The City is mandated by the State to collect the fee.

**DISCUSSION:**

The City of Barstow received notice from the California State Building Standards Commission that a new fee had been created by Senate Bill 1473 which is to be collected by all Cities and Counties when a building permit is issued. The new fee may be used for support of the adoption, publication, updating, and educational efforts associated with building standards, including green building standards. The City is allowed to keep 10% of the monies collected which may be used for administrative costs and education for inspectors.

Staff is proposing the attached Resolution for adoption to add the new fee to the Building Departments Permit Fee Schedule. The City Building Official oversees the collection of the fee.

**RECOMMENDED ACTION:**

That Council approves and adopts Resolution No. having the Building Standards Administration Special Revolving Fund Fee incorporated into the City's Building Department Permit Fee Schedule. The provisions of the Resolution will become effective immediately.

PROPOSED BY	FUNDS BUDGETED	FUNDS AVAILABLE	MEETING DATE
Bob Cooper <i>BC</i>	N/A	N/A	February 17, 2009
C.M. APPROVAL	AMOUNT REQUIRED	CATEGORY	ITEM NUMBER
Richard D. Rowe <i>RDR</i>	N/A	Community Development	6



**FISCAL IMPACT**

No fiscal impact as this is pass through money collected for the State Building Standards Commission.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BARSTOW ADOPTING  
THE BUILDING STANDARDS ADMINISTRATION SPECIAL REVOLVING FUND  
FEE TO BE INCLUDED WITHIN THE CITY OF BARSTOW BUILDING PERMIT FEE  
SCHEDULE**

**WHEREAS**, the Governor of California signed into law SB 1473, which provides for the creation of the Building Standards Administration Special Revolving Fund for the support of the adoption, publication, updating, and educational efforts associated with building standards, including green building standards; and

**WHEREAS**, moneys deposited in this fund will come from a surcharge on both residential and non-residential building permits; and

**WHEREAS**, SB 1473 requires the City of Barstow to collect a fee from an applicant for a building permit, assessed at the rate of four dollars (\$4) per one hundred thousand dollars (\$100,000) in valuation; and

**WHEREAS**, the City of Barstow may retain up to ten (10) percent of the fees collected for related administrative costs and for code enforcement education; and

**WHEREAS**, the remainder of the fees will be submitted quarterly to the California Building Standards Commission (CBSC) for deposit into the Building Standards Administration Special Revolving Fund.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of Barstow as follows:

Section 1. That the schedule of building permit fees for the City of Barstow is hereby modified to include the state mandated Building Standards Administration Special Revolving Fund fee which shall be imposed on residential and non-residential building permits, as shown in Exhibit A.

Section 2. That the fee will be incorporated into the building permit fee schedule of the City of Barstow. Any fee of the City not listed in Exhibit "A" which was established prior to the effective date of this Resolution, shall continue at the rate so established.

Section 3. That the Building Official of the City of Barstow shall administer the fee schedule. The City will retain up to ten (10) percent of the fees collected for related administrative costs and for code enforcement education. The City will submit the remainder of the fees on a quarterly basis to the CBSC for deposit into the Building Standards Administration Special Revolving Fund.

Section 4. That the provisions of this resolution shall become effective immediately.

**PASSED, APPROVED AND ADOPTED** this \_\_\_ day of \_\_\_\_, 2009.

---

Joe Gomez, Mayor

ATTEST:

---

JoAnne Cousino, City Clerk

APPROVED AS TO FORM:

---

Yvette Abich, City Attorney

I, JoAnne Cousino, City Clerk of the City of Barstow, hereby certify that the foregoing resolution was duly adopted by the City Council of the City of Barstow at a regular meeting held on the \_\_th day of \_\_\_\_\_ 2009 by the following vote:

AYES:

NOES:

ABSTAIN:

---

JoAnne Cousino, City Clerk

**EXHIBIT "A"**

**BUILDING STANDARDS ADMINISTRATION SPECIAL REVOLVING FUND FEE**

<b>Permit Valuation</b>	<b>Fee</b>
\$1-\$25,000	\$1.00
\$25,001-\$50,000	\$2.00
\$50,001-\$75,000	\$3.00
\$75,000-\$100,000	\$4.00
Every \$25,000 or fraction thereof above \$100,000	Add \$1.00

**BUILDING STANDARDS COMMISSION**

2525 Natomas Park Drive, Suite 130  
 Sacramento, California 95833  
 (916) 263-0916 FAX (916) 263-0959

**BUILDING STANDARDS BULLETIN 08-01****DATE: OCTOBER 30, 2008****TO: CITY, COUNTY, AND CITY AND COUNTY JURISDICTIONS****SUBJECT: Chapter 719, Statutes of 2008 (Senate Bill No. 1473, Calderon)**

On September 30<sup>th</sup> of this year Governor Schwarzenegger signed SB 1473 into law. It will take effect on January 1, 2009. Among other things, the bill provides for the creation of the Building Standards Administration Special Revolving Fund, which is established in the State Treasury. Moneys deposited in this fund will come from a surcharge on both residential and non-residential building permits.

The bill requires that each city, county, and city and county collect a fee from an applicant for a building permit, assessed at the rate of four dollars (\$4) per one hundred thousand dollars (\$100,000) in valuation, with appropriate fractions thereof, but not less than one dollar (\$1). "Appropriate fractions thereof" is interpreted to be \$1 per every twenty-five thousand (\$25,000) in valuation per table illustrated below. Fees will be submitted quarterly to the California Building Standards Commission (CBSC), as follows:

Permit Valuation	Fee
\$1 – 25,000	\$1
\$25,001 – 50,000	\$2
\$50,001 – 75,000	\$3
\$75,001 – 100,000	\$4
Every \$25,000 or fraction thereof above \$100,000	Add \$1

In addition, SB 1473 provides that the city, county, or city and county may retain up to ten (10) percent of the fees collected for related administrative costs and for code enforcement education. The bill requires that the local jurisdiction transmit the remainder to CBSC for deposit in the Building Standards Administration Special Revolving Fund.

Once appropriated, moneys deposited in this fund will be available to CBSC, the Department of Housing and Community Development, and the Office of the State Fire Marshal for expenditure in carrying out the provisions of the State Building Standards Law and provisions of State Housing Law that relate to building standards. Emphasis is to be placed on the development, adoption, publication, updating, and educational efforts associated with green building standards.

Notification that the first quarter's fees will be due on April 15, 2009, and a reporting form for the first quarter beginning January 1, 2009, and ending March 31, 2009, will be distributed to each city, county, and city and county, and placed on CBSC's website at [www.bsc.ca.gov](http://www.bsc.ca.gov) in the first part of 2009. If you have any questions concerning this bulletin, please contact Jane Taylor, Senior Architect, by telephone at (916) 263-0807, or via email at [Jane.Taylor@dgs.ca.gov](mailto:Jane.Taylor@dgs.ca.gov).

David Walls  
 Executive Director

