

**CITY OF BETHLEHEM**  
**INTER-DEPARTMENTAL CORRESPONDENCE**

**SUBJECT:** Request for Approval by City Council the recommended changes to the fee scale pursuant to City Ordinance 1702, Fees for the Enforcement of the Pennsylvania Uniform Construction Code.  
**TO:** City Council, all members, and Council Solicitor  
**FROM:** Deputy Chief Craig Baer/Fire Marshal  
**DATE:** 9/27/2017

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On behalf of the Fire Administration, I request City Council's approval of the attached recommended changes to the fee scale pursuant to City Ordinance 1702, Fees for the Enforcement of the Pennsylvania Uniform Construction Code.

These changes were carefully considered and are recommended to closer align the fees the City of Bethlehem charges for these services when compared to other municipalities. Municipality size was not considered as important as the comparative level of service the City of Bethlehem Fire Inspection Bureau provides. Examples of these comparative fee schedules can be provided if requested.

Although the format of the fee schedule has changed from the previous version, very few fee changes were made. The format and some wording were changed to better align the fee schedule with the format of the International Fire Code.

A summary of the fee changes is listed below:

Wording was changed to make an unenforceable portion of the ordinance enforceable, creating a 75.00 fee for commercial change of occupant.

Stationary Tank Removal fees were increased 150.00 per tank below 2000 gallons and to 225.00 per tank above 2000 gallons. This was done because more stringent regulations require a much longer inspection time, most removals require a half day inspection of the operation.

Stationary Above Ground Tank install was changed to include a new 350.00 fee for tanks over 2000 gallons. This was done to align all tank sizes whether installing or removing.

Annual Mobile Vendor fee was set at 100.00, vendors were charged 50.00 for each event in the past even though they were conducting the same operation. Location of operation will still need to be reviewed for each event.

Cooking Vendor Permit was reduced to 15.00 from 50.00. A 35.00 inspection fee was added if the vendor requires an inspection for open flame cooking. Every vendor was charged 50.00 in the past whether an inspection was required or not.

The 15.00 Administrative Fee was changed to 15.00 per hour and includes a review fee.

Language was included to exempt LP and Propane where applicable under current Pennsylvania Law

Language was changed to remove Hood and Suppression Systems from the fee schedule as these are no longer enforced by the Fire Inspection Bureau.

Language was changed to ensure that all new construction permit fees will cover the operational permit fees that are required. This eliminates double billing issues.

Language was updated to align the penalty for fire code violations with the new Third Class City Code, which limits each violation to a maximum of \$1000.00 per occurrence, unless certain criteria are met to allow for a higher penalty.

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By: Craig Baer, Deputy Fire Chief

Copies To: file, Business Administrator

Attachment: proposed fee changes

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
 COUNTIES OF LEHIGH AND NORTHAMPTON,  
 COMMONWEALTH OF PENNSYLVANIA, AMENDING  
 ARTICLE 1702 OF THE CODIFIED ORDINANCES  
 ENTITLED FEES FOR THE ENFORCEMENT OF THE PENNSYLVANIA UNIFORM  
 CONSTRUCTION CODE, ACT NO 45-1999.

THE COUNCIL OF THE CITY OF BETHLEHEM HEREBY ORDAINS AS FOLLOWS:

SECTION 1. That Section 1702.01, Schedule of Fees, of the Codified Ordinances of the City of Bethlehem, which reads as follows:

1702.01 SCHEDULE OF FEES.

(c) Schedule of Fire Code Fees

<del>15</del> Flammable/Combustible Above or Underground Tanks (New)	
Tanks above 500 gallons	\$150.00/Tank plus state fee
Tanks below 500 gallons	\$100.00/Tank plus state fee
<del>16</del> Flammable/Combustible Tank (Alterations)	\$100.00/Tank plus state fee
<del>17</del> Underground Tank Removal	\$150.00/Tank plus state fee
<del>18</del> Bonfires/Open Burning*	<del>\$50.00 plus state fee</del>
<del>19</del> Fire Works Display**	<del>\$50.00 plus state fee</del>
<del>20</del> Open flame Public Performance	<del>\$50.00 plus state fee</del>
<del>24</del> Hazard Materials/Chemical Use	\$75.00/Material Type/Control Area plus state fee
<del>25</del> Flammable/Combustible Liquid Use/Storage	\$75.00 plus state fee
<del>26</del> Compressed/ Liquid Gas Use/Storage Tank	\$75.00/Tank plus state fee
<del>27</del> Flammable/ Combination Above Ground Tank	<del>\$75.00/Tank plus state fee</del>
<del>28</del> Flammable/ Combination Above Ground Alterations	\$75.00/Tank plus state fee
<del>29</del> Stationary Per Tank Removal Above 2000 Gallons	\$100.00/Tank plus state fee
Stationary Per Tank Removal 2000 Gallons and Below	\$75.00/Tank plus state fee
<del>32</del> Non-Medical Helicopter Landings within City	\$50.00 plus state fee
<del>33</del> Helicopter Use (Construction, etc.)	\$150.00/hour plus state fee
<del>34</del> Hood Suppression Systems	<del>1% of construction cost plus state fee</del>
<del>34</del> Tents 400 square feet or larger	\$50.00 plus state fee
<del>35</del> Fire Department Operational Permit for existing commercial occupancies	
with a change of commercial occupant	\$75.00
<del>36</del> Fire Department Administrative Fee	\$25.00

Construction Permits and Fire Department Operational Permits for existing commercial occupancies for a change of commercial occupant: Permit fees shall include one (1) inspection and one (1) re-inspection. All subsequent re-inspections shall be billed at the rate of \$75.00 per hour with one (1) minimum to be billed in ¼ hour increments thereafter.

Fire Systems Construction permit fees shall cover Fire Department Operational Permit for new occupancies.

~~\* Cost is not inclusive of One Firefighter~~

~~\*\* Cost is not inclusive of Two Firefighters and One Fire Officer~~

Exception: Interior home heating oil tanks.

Shall be amended to read:

1702.01 SCHEDULE OF FEES. Unless altered by subsequent Resolution approved by the City Council of the City of Bethlehem, the following schedule of fees shall apply:

**(c) Schedule of Fire Code Fees**

Flammable/Combustible Above or Underground Tanks (New)	
Tanks above 500 gallons	\$150.00/Tank plus state fee
Tanks below 500 gallons	\$100.00/Tank plus state fee
Flammable/Combustible Tank (Alterations)	\$100.00/Tank plus state fee
Underground Tank Removal	\$150.00/Tank plus state fee
	<b><u>Over 2000 gallons</u></b>
	<b><u>\$225.00/Tank</u></b>
Hazard Materials/Chemical Use	\$75.00/Material Type/Control Area plus state fee
Flammable/Combustible Liquid Use/Storage	\$75.00 plus state fee
Compressed/ Liquid Gas Use/Storage Tank	\$75.00/Tank plus state fee
Flammable/ Combination Above <b><u>or Underground Tanks (includes operational permit)*</u></b>	
	<b><u>Tanks 501 to 2000</u></b>
	<b><u>\$150.00/Tank</u></b>
	<b><u>Tanks 500 gallons or less</u></b>
	<b><u>\$100.00/Tank</u></b>
	<b><u>Tanks above 2000</u></b>
	<b><u>\$350.00/Tank</u></b>
Flammable/ <b><u>Combustible</u></b> Above Ground Alterations	\$75.00/Tank plus state fee
Stationary Per Tank Removal Above 2000 Gallons	\$100.00/Tank plus state fee
Stationary Per Tank Removal 2000 Gallons and Below	\$75.00/Tank plus state fee
Non-Medical Helicopter Landings within City	\$50.00 plus state fee
Helicopter Use (Construction, etc.)	\$150.00/hour plus state fee
<b><u>Annual mobile cooking vendor (truck/trailer)*</u></b>	<b><u>\$100</u></b>
<b><u>Cooking Vendor*</u></b>	<b><u>\$25.00/hr. Administrative/Review Fee</u></b>
<b><u>Open flame cooking inspection*</u></b>	<b><u>\$25</u></b>
Tents 400 square feet or larger	\$50.00 plus state fee
Fire Department Operational Permit for existing commercial occupancies with a change of commercial occupant	
	\$75.00
Fire Department Administrative Fee	\$25.00

Construction Permits and Fire Department Operational Permits for **new or existing commercial occupancies and commercial occupancies with** a change of commercial occupant: Permit fees shall include one (1) inspection and one (1) re-inspection. All

subsequent re-inspections shall be billed at the rate of \$75.00 per hour with one (1) minimum to be billed in ¼ hour increments thereafter.

Fire Systems Construction permit fees shall cover Fire Department Operational Permit for new occupancies.

**All permit fees are not inclusive of any required roster duty fees as deemed necessary by the Fire Marshall, and are not inclusive of any state fees where applicable. All Fire Department Construction Permit fees will include/cover the operational permit fee for the occupancies.**

**\* All operational and construction permits required in the 2009 International Fire Code will have a fee of \$50.00 with the exceptions of these permits.**

Exception: Interior home heating oil tanks.

**Exemptions: Tanks exempted by Pennsylvania Propane and LP Gas Law**

**Fire Code Violations**

**Penalties: Penalties shall be imposed to the maximum extent possible under Third Class City Code, specifically Section 141A04(c).**

SECTION 2. That all Ordinances and parts of Ordinances inconsistent herewith be, and the same are hereby repealed.

Sponsored by \_\_\_\_\_

\_\_\_\_\_

PASSED finally in Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
City Clerk

This Ordinance approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Mayor