

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ESTABLISHING A TWO-YEAR PILOT PROGRAM ALLOWING BUILDING PERMIT FEES CHARGED PURSUANT TO SECTION 5-105 OF THE NORMAN CITY CODE TO BE ADJUSTED AND SATISFIED AS AN INCENTIVE FOR ELIGIBLE DWELLINGS ACHIEVING CERTAIN VISITABILITY STANDARDS SET FORTH IN ICC SECTION A117.1-2009.

- § 1. WHEREAS, the City of Norman recognizes the strong public interest in the construction of residential dwellings that incorporate architectural design features accommodating and enhancing access and usability for persons (both visitors and residents) who have significant mobility impairments, which in turn serves to promote community and inclusivity; and
- § 2. WHEREAS, construction and development to such standards also promotes the establishment of age-in-place development beneficial to the City of Norman's current and future senior populations; and
- § 3. WHEREAS the International Code Council ("ICC") is a U.S.-based membership association that is dedicated to the development of model codes and standards utilized for the "design, build and compliance process to construct safe sustainable, affordable and resilient structures in the build environment"; and
- § 4. WHEREAS, the ICC has developed model code criteria addressing Accessible and Usable Buildings and Facilities, as more specifically set forth in its Standard A117.1-2009 Section 1005 Type C (Visitable) Units ("Visitability Code"); and
- § 5. WHEREAS, it is recognized that incentivizing residential home owners and builders to construct one- and two-family dwelling units or group of townhouses with less than four dwelling units (as set forth in the 2015 International Residential Code, hereafter "Eligible Dwelling") incorporating visitable construction standards is desirable also to ensuring the quality and versatile design of homes built and sold within Norman municipal limits, and thus benefitting and diversifying the residential housing market, spurring additional visitable residential home construction, and improving residential home values in the City of Norman; and
- §6. WHEREAS, it is recognized that adjusting the building permit fee identified in Section 5-105(1)(D) of the Norman City Code applicable to newly constructed one-and two-family dwelling units or group of townhouses with less than four dwelling units built within Norman municipal limits ("Visitability Permit Fee Adjustment") is an incentive to prompt builders and home owners to develop "visitable" dwelling units and ultimately assist in achieving Norman's objectives and desires as set forth herein; and



§7. WHEREAS, the City of Norman City Council wishes to establish a pilot program, to begin August 1, 2021 and continue for two years, during which the City of Norman accept applications relating to the City of Norman's provision of a Visitability Permit Fee Adjustment Incentive Program, and as set forth particularly below; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AS FOLLOWS:

§ 8. That the procedure for obtaining a Visitability Permit Fee Adjustment incentive is hereby established as follows:

- 1) To participate in this program
 - An applicant must have a current City of Norman Utility account (i.e. no "past due" balance)
 - Applicant must be constructing an Eligible Dwelling;
 - Applicant must submit a Visitability Program Participation Application, on the form provided by the City of Norman, which includes detailed plans demonstrating intent to comply with the Visitability Code at the same time it submits a Construction Permit Application for the Eligible Dwelling;
 - A Visitability Final Inspection must be requested by the applicant/permit holder and approved by the Building Inspector verifying compliance with the Visitability Code prior to issuance of a Certificate of Occupancy (CO); and
 - The constructed Eligible Dwelling ultimately satisfies all requirements of the Visitability Code.
- 2) The Building Official or his/her designee shall keep all Visitability Program Participation Applications, or copies of the same on file.
- 3) A Visitability Permit Fee Adjustment applicant shall be responsible to remit payment for all fees set forth in Section 5-105 of the Norman City Code *except* the fee in 5-105(1)(D), which charge shall be held until such time as it is satisfied either by monetary payment or performance under the Visitability Permit Fee Adjustment program set forth herein.
- 4) When the applicant has established compliance with all the criteria set forth in the Visitability Code the applicant will be deemed to have satisfied the building permit fee identified in Section 5-105(1)(D) of the Norman City Code. In the event the applicant fails to satisfy the requirements of the Visitability Code the permit fee, and any other outstanding fee's must be paid in full before a Temporary Certificate of Occupancy or Certificate of Occupancy may be issued.

Application for a Visitability Permit Fee Adjustment shall not prevent submittal of a HERS Permit Fee Adjustment application in relation to the same dwelling, *except that* no applicant's incentive program performance may be deemed to have satisfied more than the total permit fee associated with Section 5-105(1)(D), for each specific location/address.

- 5) Compliance with the Visitability Code must be submitted within eighteen (18) months of issuance of the applicable Construction Permit, and extensions to this submittal limitation may be granted by the discretion of the City for requests submitted to the Planning and Community Development Director.

- 6) The City of Norman may refuse applications and deny or charge back adjustments where the applicant has failed to follow the procedure set forth herein. All initial determinations regarding Visitability Permit Fee Adjustments may be appealed to the Planning and Community Development Director, who may, in his or her discretion, adjust the Visitability Permit Fee Adjustment determination in accordance with this resolution.
- 7) No Visitability Permit Fee Adjustment incentive may be issued to any applicant that is delinquent with respect to its utilities account with the City of Norman or with respect to the payment of any permit fees otherwise owed by applicant to the City of Norman with respect to any other projects within Norman municipal limits, whether or not said project involves an application pursuant to this program.
- 8) All portions of the Norman City Code, and applicable adopted building codes, remain fully enforceable with respect to each applicant and shall be enforced by City of Norman staff pursuant to normal procedures, and irrespective of the existence of this program herein.

§ 9. That City of Norman Development Services Division staff is hereby directed to prepare and maintain forms and other administrative items and procedures consistent with and as necessary to accommodate the process set forth herein. The Building Official has discretionary authority as it relates to determining suitability of submitted plans, material conformance, and inspection-related inquiries, incentives of fees and similar.

PASSED AND ADOPTED this _____ day of _____, 2021.

Mayor

ATTEST:

City Clerk
