

Agenda Item No. 18.

To: Mayor and Ross Town Council
From: Gary Broad, Town Manager
Re: Follow-up discussion on After-The-Fact Construction
Date: May 8, 2008

The Town Council discussed the issue of after-the-fact permits last year. One response to the problem was an increase in the building and planning fees, with planning fees increased to three times the regular fees and a building permit fee increased to 10% of the value of the project.

Applicant/Address	Planning Application Fees (After-the-fact)	
	Regular Fees	Total Fees with Penalty (2X)
DeWolf/2 Thomas Ct.	\$1,800	\$3,600
Abrams/18 Canyon	\$2,800	\$5,600
Peterson/24 Upper Road West	\$250	\$500

Applicant/Address	Building Permit Fees (After-the-fact penalty)	
	Regular Fees	Total Fees with New Penalty (3X)
Santa/662 Goodhill	\$3,350	\$10,050
Rosen/115 Lagunitas	\$1,500	\$4,500

Despite these increases, Senior Planner Elise Semonian has indicated that at present the Town has 17 pending abatements for properties where work has been done without permits. About half of these are from neighbor complaints and about half from work discovered during resale inspections.

While the new penalties may increase a property owner's pain at being caught violating existing laws, staff does not believe they are a strong deterrent to property owners doing work without necessary permits. Attached to this staff report is last year's report on this topic. Since we are approaching budget preparation for next year, staff would suggest that the public works subcommittee meet to consider whether funding should be allocated for any of the possible considerations included in the prior report. Staff would encourage any Council members to again provide feedback to staff on the report .