

COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 260460

Amending Chapter 64, Code of Ordinances, by repealing and replacing Section 64-118 for the purpose of reducing the area utilized to calculate the degradation fees that the Public Works Director is authorized to charge; ~~and establishing an effective date.~~

WHEREAS, the City seeks to reduce the degradation fee area from the pavement restoration to the excavation plus the one (1) foot on each side of the excavation; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 64, Code of Ordinances, is hereby amended by repealing Section 64-118, Excavation permit fees, and enacting in lieu thereof a new section of like number and subject matter to read as follows:

Sec. 64-118. Excavation permit fees.

- (a) *Application fee.* A nonrefundable fee in an amount sufficient to defray the expenses of investigating the application, issuing the permit and inspecting the excavation site shall be charged. Effective October 1, 2024, the minimum application fee for all excavations up to 100 lineal feet shall be \$171.34, and for each additional 100 lineal feet of excavation or portion thereof an additional \$171.34 shall be charged.
- (b) *Pavement degradation fees.* In addition to the application fee, if the excavation is in a paved portion of property, right-of-way or easements owned by the city that is used as a street or alley, then a degradation fee shall be charged to the applicant to recover the cost of the degradation to the life of the pavement. The fee shall be based on the size of the excavation plus the one (1) foot on each side of the excavation, the value of the remaining life expectancy of the pavement, and the current value of the pavement. If street pavement is reconstructed curb to curb in association with the excavation permit, no degradation fee will be required.
- (c) *Calculation of the degradation fee.* The degradation cost will be based on the tables of values published by the director, the applicant shall calculate the value of the degradation fee for each restoration and shall total all the fees and round to the nearest dollar. The director will provide information on the ages of the pavement sections and the maintenance history. The completed estimating form and fees shall be submitted with the application for the permit for approval.

"P"			"O"			"S"		
Construction Cost \$12.47			Maintenance Cost \$0.40			Maintenance Cost \$0.11		
Age From Construction			Age Mill & Overlay			Age Slurry Seal		
1	100	12.47	1	100	0.40	1	100	0.11
2	97	12.10	2	90	0.36	2	80	0.09
3	93	11.60	3	80	0.32	3	60	0.07
4	90	11.22	4	70	0.28	4	40	0.04
5	87	10.85	5	60	0.24	5	20	0.02
6	83	10.35	6	50	0.20		Over 5	0.00
7	80	9.98	7	40	0.16			
8	77	9.60	8	30	0.12			
9	73	9.10	9	20	0.08			
10	70	8.73	10	10	0.04			
11	67	8.35		Over 10	0.00			
12	63	7.86						
13	60	7.48						
14	57	7.11						
15	53	6.61						
16	50	6.24						
17	47	5.86						
18	43	5.36						
19	40	4.99						
20	37	4.61						
21	33	4.12						
22	30	3.74						
23	27	3.37						
24	23	2.87						
25	20	2.49						
26+	Residual Value	2.49						
The pavement degradation fee is based on the area of the excavation plus one (1) foot on each side.								
The history of the street segments shall be available on the City of Kansas City website www.kcmo.gov								

- (a) *Fees payable to city treasurer.* The application fee and degradation fee, if paid by check, money order, bank draft or other negotiable instrument, shall be made payable to the city treasurer, who shall deposit it to the credit of the street maintenance fund. The excavation permit shall not be issued until the fees required by this section are paid.
- (b) *Adjustment of fees.* The city manager shall have the authority to adjust the application fees listed above to reflect the change in the consumer price index (all items/all urban

consumers Midwest urban) published by the United States Department of Labor, Bureau of Labor Statistics. If the costs of processing the excavation permit falls below the fees being charged, the fees shall be reduced to an amount equal to or less than the costs. The adjustment, if any, shall be made annually by the city manager in conjunction with the adoption of the annual budget of the city by filing a notice with the city clerk. Notwithstanding anything herein to the contrary, the council may modify or waive the imposition of the fees established herein if the council determines that it is in the public interest to do so.

~~Section 2. That this Ordinance shall become effective on July 1, 2026.~~

Approved as to form:

Andrew Bonkowski
Assistant City Attorney