

**CITY OF MUSKEGO
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the Common Council of the City of Muskego will hold a Public Hearing at 7:30 PM on Tuesday, December 8, 2009, in the Muskego Room of City Hall, W182 S8200 Racine Avenue, to consider the following upon the petition of the City of Muskego:

1. Revisions to Chapter 14 Floodplain Zoning Ordinance of the City of Muskego Municipal Code (Sections 1.5, 3.1, 4.1, 5.0, 5.1, 5.2, 5.3, 5.4, 6.4, 7.4, & 8.2).
2. Revisions to Chapter 17 Zoning Ordinance of the City of Muskego Municipal Code (Sections 5.02, 5.03, 5.07, 5.10, 6.02, 8.32, 15.02, 15.05, 16.05, 16.08, 16.10, 17.01, 18.02, 20.06, & 20.07).

These amendments relate to various Zoning Code and Floodplain Zoning Code sections requiring clarification and updates, as well as new Floodplain Storage District maps and Floodplain Storage ordinance requirements.

Detailed descriptions of each code change are available for public inspection at the City of Muskego Community Development Office.

All interested parties will be given an opportunity to be heard.

Plan Commission
City of Muskego

Publish in the Muskego NOW Newspaper on November 19, 2009 and November 26, 2009.

Dated this 11th day of November, 2009

NOTICE

IT IS POSSIBLE THAT MEMBERS OF AND POSSIBLY A QUORUM OF MEMBERS OF OTHER GOVERNMENTAL BODIES OF THE MUNICIPALITY MAY BE IN ATTENDANCE AT THE ABOVE-STATED MEETING AND GATHER INFORMATION; NO ACTION WILL BE TAKEN BY ANY GOVERNMENTAL BODY AT THE ABOVE-STATED MEETING OTHER THAN THE GOVERNMENTAL BODY SPECIFICALLY REFERRED TO ABOVE IN THIS NOTICE.

NOTICE

"Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Community Development Department at City Hall, W182 S8200 Racine Avenue, (262) 679-4136."

PROPOSED ORDINANCE CHANGES – Fall 2009

Chapter 12 Licenses and Permits Ordinance

12:12.16(4)

- (4) LOCATION.

See Section 20.07 of the Chapter 17 Zoning Code for location requirements
~~No pool, surrounding decks, surfaced terraces, sun decks, or walks shall be permitted closer than 10 feet to a lot line. In no case shall a pool be located in the front yard of the principal building.~~

Chapter 14 Floodplain Zoning Ordinance

14:1.5(2)

- (2) The boundaries of all floodplain districts are designated as floodplains or A-Zones on the maps listed below and the revisions in the City of Muskego Floodplain Appendix. Any change to the base flood elevations (BFE) in the Flood Insurance Study (FIS) or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA before it is effective. No changes to regional flood elevations (RFE's) on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Planning Department, City of Muskego. If more than one map or revision is referenced, the most restrictive information shall apply. (Ord. #1288 - 12-24-2008)

OFFICIAL MAPS: Based on FIS

- (a) Flood Insurance Rate Map (FIRM), panel numbers 55133C0339F, 55133C0342F, 55133C0343F, 55133C0344F, 55133C0361F, 55133C0362F, 55133C0363F, 55133C0364F, 55133C0452F, 55133C0454F, 55133C0456F, 55133C0457F, 55133C0458F, 55133C0459F, 55133C0476F, 55133C0477F, and 55133C0478F dated November 19, 2008; with corresponding profiles that are based on the Flood Insurance Study (FIS) dated November 19, 2008, volume numbers 55133CV001A-003A;

Approved by: The DNR and FEMA

- (b) **Letter of Map Revision (LOMR) updating the Special Flood Hazard Area boundaries along the Unnamed Tributary to Muskego Canal on the FIRM maps for panel numbers 55133C0343F and 55133C0344F, effective as of September 30, 2009.**

Approved by: The DNR and FEMA

OFFICIAL MAPS: Based on other studies

In addition thereto;

- (ca) The boundary of the floodplain districts including the floodway, floodfringe and other floodplain districts, for the area south of the Little Muskego Lake Dam are those areas designated as floodplain and floodway along the Muskego Canal on the following map: 100 Year Floodplain/Floodway Muskego Canal prepared by Ruekert & Mielke, the City's consulting engineers.

This map, dated February 1998, is the official Floodplain Zoning Map and has been approved by the Department of Natural Resources, and is on file in the office of the Clerk-Treasurer. (Ord. #945 - 03-05-98)

- (db) The boundary of the floodplain districts including the floodway, floodfringe and other floodplain districts, are those areas designated as floodplain districts on a map prepared by Pioneer Engineering and Surveying.

This map, dated May 14, 1993, is the official Floodplain Zoning Map and has been approved by the Department of Natural Resources, and is on file in the office of the City Clerk. (Ord. #806 - 08-05-93)

- (ee) The boundary of the floodplain district including the floodway, floodfringe and other floodplain districts for areas within the boundaries of a parcel described as Tax Key Numbers 2174.112, 2174.114, and 2174.178 are those areas as designated as floodplain districts on a map prepared by Ruekert and Mielke Inc.

The boundary of the floodplain district including the floodway, floodfringe, and other floodplain districts for the areas excluded from the boundaries of a parcel described as Tax Key Numbers 2174.195, 2174.109.001 and 2174.945 as those areas designated to be outside of this floodplain district or A-Zones on a map prepared by Ruekert and Mielke Inc.

This map, dated November 14, 2000, and further updated on March 27, 2001, is the official Floodplain Zoning Map and has been approved by the Department of Natural Resources, and is on file in the Office of the Clerk-Treasurer. (Ord. #1032 – 11-22-2000)

- (f) **Flood Storage Maps for Waukesha County, panel numbers 9 and 10, dated November 19, 2008. Approved and prepared by the DNR.**

14:1.5(3)(d)

- (d) **The Flood Storage District (FSD) is that area of the floodplain where storage of floodwaters is calculated to reduce the regional flood discharge.**

14:3.1

3.1 APPLICABILITY

The section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. 5.1(4)4.

14:4.1

4.1 APPLICABILITY

This section applies to all floodfringe area shown on the floodplain zoning maps and those identified pursuant to s. 5.1(4)4.

14:5.0-5.4

5.0 OTHER FLOODPLAIN DISTRICTS

Other floodplain districts may be established under the ordinance and reflected on the floodplain zoning map. These districts may include general floodplain districts and flood storage districts.

5.10 GENERAL FLOODPLAIN DISTRICT (GFP)

~~5.1~~(1) APPLICABILITY

The provisions for this district shall apply to all floodplains for which flood profiles are not available or where flood profiles are available but floodways have not been delineated. Floodway and floodfringe districts shall be delineated when adequate data is available.

~~5.2~~(2) PERMITTED USES

Pursuant to s. 5.1(4)4, it shall be determined whether the proposed use is located within a floodway or floodfringe area.

Those uses permitted in floodway (s. 3.2) and floodfringe areas (s. 4.2) are allowed within the general floodplain district, according to the standards of s. 5.1(3)3, provided that all permits or certificates required under s. 7.1 have been issued.

~~5.3~~(3) STANDARDS FOR DEVELOPMENT IN THE GENERAL FLOODPLAIN DISTRICT

S. 3.0 applies to floodway areas, s. 4.0 applies to floodfringe areas. The rest of this ordinance applies to either district.

~~5.4~~(4) DETERMINING FLOODWAY AND FLOODFRINGE LIMITS

Upon receiving an application for development within the general floodplain district, the zoning administrator shall:

- (1) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures;

- (2) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:
 - (a) A typical valley cross-section showing the channel of the stream, the floodplain adjoining each side of the channel, the cross-sectional area to be occupied by the proposed development, and all historic high water information;
 - (b) Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and spatial arrangement of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information;
 - (c) Profile showing the slope of the bottom of the channel or flow line of the stream;
 - (d) Specifications for building construction and materials, flood proofing, filling, dredging, channel improvement, storage of materials, water supply and sanitary facilities.
- (3) Transmit one copy of the information described in pars. (1) and (2) to the Department Regional office along with a written request for technical assistance to establish regional flood elevations and, where applicable, floodway data. Where the provisions of s. 7.1(2)(c) apply, the applicant shall provide all required information and computations, to delineate floodway boundaries and the effects of the project on flood elevations.

14:5.2

5.2 FLOOD STORAGE DISTRICT

The flood storage district delineates that portion of the floodplain where storage of floodwaters has been taken into account and is relied upon to reduce the regional flood discharge. The district protects the flood storage areas and assures that any development in the storage areas will not decrease the effective flood storage capacity which would cause higher flood elevations.

(1) APPLICABILITY

The provisions of this section apply to all areas within the Flood Storage District (FSD), as shown on the official floodplain zoning maps.

(2) PERMITTED USES

Any use or development which occurs in a flood storage district must meet the applicable requirements in s. 4.3.

(3) STANDARDS FOR DEVELOPMENT IN FLOOD STORAGE DISTRICTS

- (a) Development in a flood storage district shall not cause an increase equal or greater than 0.01 of a foot in the height of the regional flood.
- (b) No development shall be allowed which removes flood storage volume unless an equal volume of storage as defined by the pre-development ground surface and the regional flood elevation shall be provided in the immediate area of the proposed development to compensate for the volume of storage which is lost, (compensatory storage). Excavation below the groundwater table is not considered to provide an equal volume of storage.
- (c) If compensatory storage cannot be provided, the area may not be developed unless the entire area zoned as flood storage district – on this waterway – is rezoned to the floodfringe district. This must include a revision to the floodplain study and map done for the waterway to revert to the higher regional flood discharge calculated without flood plain storage, as per s. 8.1 of this ordinance.
- (d) No area may be removed from the flood storage district unless it can be shown that the area has been filled to the flood protection elevation and is contiguous to other lands lying outside of the floodplain.

14:6.4

6.4 FLOOD STORAGE AREAS

No modifications or additions shall be allowed to any nonconforming structure in a flood storage area unless the standards outlined in 5.2(3) are met.

14:7.4(b)

- (b) Floodway/floodfringe determination data in s. 5.1(4)4.

14:8.2

8.2 PROCEDURES

Ordinance amendments may be made upon petition of any interested party according to the provisions of s. 62.23, Stats., for cities and villages, or 59.69, Stats., for counties. Such petitions shall include all necessary data required by ss. 5.1(4)4 and 7.1(2)

Chapter 17 Zoning Ordinance

17:5.02(5)

- (5) Maintenance and Use of Setback and Offset Areas: Any such required setback or offset area shall be landscaped and kept clean and free from the accumulation of debris or refuse, and shall not be used for storage or display of

equipment, products, vehicles, or any other material except as may be specifically otherwise permitted under this ordinance. **This does not apply to any storage that is contained within an approved accessory structure or approved screening device.**

17:5.03(2)C.

- C. Subject to the approval of the Plan Commission: Cooling towers, elevator bulkheads, fire towers, monuments, penthouses, stacks, scenery lofts, tanks, water towers, ornamental towers, spires, masts, aerials, **gymnasiums**, and necessary mechanical appurtenances.

17:5.07(1)

- (1) **MINIMUM REQUIRED**
No building, **covered structure, or impervious surface** shall be placed, erected, structurally altered or relocated on a lot so as to reduce the usable open area of such lot to less than **the minimum required amount as identified by the underlying zoning district** ~~than hereinafter specified by the regulations for that district~~ **or less than 75% of the total lot size.**

17:5.07(2)

- (2) **HOW MEASURED**
To be considered usable, such open area shall be readily accessible and of a size and shape which can be reasonably considered to provide for the amenities and necessities of light, air, play space, drying yard, garden, etc., but shall not include parking areas, drives, and other impervious areas. **Pervious hard surfaces such as gravel, pavers, permeable concrete/asphalt, and other surfaces, at the discretion of the Community Development Director, can count as open space.** Crop pasture and wooded land may be included in computing such open area.

17:5.10(2)C. & D.

- C. **Building Restricted Adjacent to Drainage Channels or Watercourses:** No building other than a bridge, dam, ~~boathouse,~~ or revetment subject to the aforesaid approval, shall be erected, structurally altered or relocated within 10 feet of the ordinary high water line of surface water, drainage channel or 20 feet of the ordinary high water line of a natural watercourse. ~~nor so that the lowest floor of said building is less than 2 feet above possible flood stage as determined by the Engineering/Building Inspection Director.~~
- D. **Elevations Relative to Floodplains:** The lowest finished yard grade elevation abutting the principal structure must be at least 2 feet above the floodplain elevation. For accessory structures the lowest finished yard grade elevation abutting said structure must be at or above the floodplain elevation. Any structure located within the floodplain is subject to the requirements of Chapter 14 of the Municipal Code.

17:6.02(2)A.

- A. No such structure shall be expanded or enlarged except in conformity with the regulations of the district in which it is located, **unless said expansions or enlargements do not get any closer than their existing distance from any lot line.**

17:6.02(3)

(3) NON-CONFORMING PARCELS

Where a lot has less land area or width than required for the district in which it is located and was of record at the time of the passage of this Ordinance, such lot may be used for any purpose permitted in such district provided, ~~however, that in no case shall the setback, or offset requirements be reduced except by order of the Board of Appeals after due hearing, or as otherwise herein provided.~~ The open space requirements in the case of such lot may be reduced without appeal provided the open space area is equal to at least 75% of the actual lot area **or within the underlying zoning district requirements.**

17:8.32(2)F.

Max. Permitted (In Feet): Principal Structure ~~35~~30

17:15.02(3)J.

- J. **Home Occupation uses must follow all adopted commercial vehicle/trailer regulations as listed in Chapter 17: Section 17.01(12). No exceptions to these requirements are allowed as part of an approved Home Occupation.**

17:15.05(8)

(8) FENCES, ~~AND WALLS, AND SCREENING DEVICES~~

Where anchored to supports embedded in the ground shall be considered permanent structures and shall be subject to the following:

- A. Any such **fence or wall structure** not in excess of 6 feet in height, may be **allowed with a valid zoning permit** ~~permitted anywhere on the lot consistent with standards set forth in Section 15.05(3)B above, and if in compliance with Section 5.02(E) and 5.02(F).~~
- B. Any such **fence or wall structure** in excess of 6 feet in height, may be permitted provided it conforms to the height, offset, and setback requirements of the district in which it is located.
- ~~C. Any such structure, in excess of 6 feet in height may be permitted closer than the required offset from an adjoining lot line with the written consent of the adjoining property owner and by approval of the Plan Commission.~~
- ~~CD.~~ Retaining walls **or decorative walls** may be permitted anywhere on the lot provided however, that no individual wall shall exceed 6 feet in height, and a terrace of at least 3 feet in width shall be provided between any series of such walls and provided further that along a street frontage no such wall shall be closer than 3 feet to the base setback line.
- ~~E. Screening devices must conform to the architectural requirements set forth in Section 15.05(3)E above or Plan Commission approval is needed.~~

17:15.05(13)

(13) TEMPORARY STRUCTURES & MISC. SCREENING DEVICE

Any temporary structure or miscellaneous screening device serving an accessory use shall be permitted anywhere on the lot consistent with the standards as set out in Section 15.05(34) above and no building permit shall be required provided a zoning permit is obtained. However, that where such **proposed** structure does not comply with the setback and offset requirements of the district in which it is located or where such **proposed** structure does not comply with architectural standards, the approval of the Plan Commission must first be obtained. **Planning Commission approval for such modification in setback/offset or architectural requirements shall be based on the following:** Further, where such structure does not comply with the offset requirements the written approval of the abutting property owner must first be submitted to the Plan Commission.

- a) The proposed structure is out of public view or adequately screened.
- b) Notice of meeting is given to owners within 100 feet of property lines.
- c) If miscellaneous screening device is a carport, it shall have no sides or ends.
- d) May be subject to Annual Review by the Plan Commission for yearly maintenance concerns.

17:16.05

16.05 PLACEMENT IN RIGHT OF WAY PROHIBITED

No sign shall be placed within the ultimate right-of-way of any street or highway. **The only exemption to this are City gateway/directional signage and Community Event Signs that are approved by the Community Development Department in advance, are determined to not hamper safety, and are erected for a specific temporary period of time.** The prohibition hereunder extends to trees, utility poles, fence posts, stakes, and all other structures on which signs might be posted or placed except political signs installed or placed on motor vehicles. Any sign violating this Section may be summarily removed by the Director of **Community Development Planning** or his designee.

17:16.08(6)C.

C. Table of Sign Dimensional Requirements:

ZONING DISTRICT	WALL SIGNS (% OF WALL AREA)	PROJECTING SIGNS (Max. Ft. ²)	GROUND & POLE SIGNS (Base ft. ² Amount Shown) (See Notes 1, 2, & 3 for additional allowed ft. ²)	OFFSET (Side -yard)	REQUIRED SETBACK (See Note 4)	MAXIMUM MONUMENT SIGN HEIGHT (Ft)
B-1, BL-1, BL-2, and RB-1	3%	35	10 to 45	3'	"	20
B-2 & B-3	5%	55	30 to 65	3'	"	20
B-4	5%	55	30 to 65	3'	"	20 to 30 (See

						Note 5)
HC-1, DR-1	5%	55	30 to 65	3'	"	20
BP-1, BP-2, and BP-3	3%	55	30 to 65	3'	"	20
M-1, M-2, and M-3	5%	35	10 to 45	3'	"	20
I-1	3%	35	10 to 45	3'	"	20

1. Square footage may be increased to the second number at a rate of one (1) square foot for each additional 10 feet of lot frontage, after the first 50 feet of frontage, up to 300 feet of frontage. In addition, square footage may be increased by one (1) square foot for every two (2) feet additional setback up from the required setback to a maximum of a 40-foot setback from the base setback line.
2. Square footage may be increased from the value found in Note 1 above a maximum of 20-percent for all ground and pole signs located on properties abutting major rural arterial streets, and if said streets become urban arterials, said signs shall be deemed to be legal non-conforming pursuant to Section 6.
3. The total area of ground and pole signs may be increased from the value found in Notes 1 and 2 above by the percent listed here if applicable:

17:16.10(2)

(2) Upon approval of the **Community Development** Director of ~~Planning~~, a sign such as a banner, **changeable copy sign**, sandwich board over twelve square feet, etc. for the purpose of announcing a special event or sale, or for a similar special informational purpose, may be permitted for a maximum of fifteen (15) days at a time, ~~renewable for up to six (6) months in any district subject to the following:~~ **All temporary signs require a Sign Permit through the Community Development Department before they can be placed on a site. Temporary signs of this nature can only be approved on a single property up to five (5) times a calendar year.**

- A. Drawing and/or sketch drawn to scale showing the specific design, physical and electrical installation plan, appearance, and location of the sign shall be submitted to the **Community Development** Director of ~~Planning~~ for approval.
- B. The permitted size of any temporary sign shall not exceed 64 square feet.
- C. Where the sign is to contain electrical service, it shall contain a recognized testing laboratory label such as the Underwriter's Laboratory, Inc., a ground fault interrupter device (GFI), and meet applicable provisions of the City electrical code, including the issuance of an electrical permit therefore. Installations exposed to potential wind damage shall be made secure with methods as enumerated in the City Building Code.
- ~~D. For the purpose of this ordinance they shall not be used to advertise pricing, specials or temporary promotions. Said banners are intended to be primarily of a decorative nature (i.e.: corporate logos), and require approval per Section 6.09(11)(b) having a quarterly review to determine compliance. They must be mounted on hanging brackets or poles that provide safeguards against slipping and twisting.~~

17:17.01(4)

(4) **STANDARD DIMENSIONS**
 Parking stalls shall be a minimum size of 10 feet wide by 20 feet in length **when aligned horizontally and 9.5 feet wide by 18 feet in length when aligned diagonally**, unless Plan Commission decides that the use of the parking stalls does not warrant a need for this size.

Drive aisles shall be a minimum of 24 feet in width for two-way traffic and 12-feet in width for one-way traffic on sites. When diagonal parking stalls are used, a drive aisle must be at least 18-feet for one-way traffic. Fire Lane requirements may apply above these stated drive aisle requirements in some cases.

17:17.01(12)B.

- B. The parking of no more than one commercial pick-up truck with a gross weight of less than 10,000 pounds or commercial cargo van type truck with a gross weight of less than 10,000 pounds, shall be permitted in any district. For the purposes of this section, a commercial pick-up is defined as any open or enclosed cargo bed truck commonly referred to as a mini, 1/2, 3/4 or 1 ton pick-up, which is licensed as a truck used to transport property or equipment for business purposes. A commercial cargo van truck is defined as any motor vehicle commonly referred to as mini-vans, cargo vans, commercial vans, or panel truck, which is licensed as a truck and is used to transport property or equipment for business purposes. **Also, one commercial trailer is allowed to be attached to the one allowed commercial vehicle/truck. The commercial trailer is not allowed to be detached from the commercial vehicle while on the property at any time, except if the one trailer is located within an approved accessory structure or completely screened from neighboring and public views within an approved screening area/device.**

17:18.02(3)

- (3) Luminaires: All exterior lighting fixtures shall be ~~high-pressure sodium~~ of a wattage approved by the Plan Commission. **The types of luminaries shall be subject to the application proposed and Planning Commission approval.**

17:18.02(6)

- (6) Light Trespass Prohibited: In no case shall exterior lighting result in illumination greater than one-half (0.5) foot-candles at any property boundary **unless the light trespass is on a property with a consistent land use or is along a right-of-way.**

17:20.06(2)

- ~~(2) The requirement for offset may be eliminated where the signed consent of the affected abutting property owner or owners has been obtained.~~

17:20.07

In addition to the foregoing **and Section 12.16 of the Chapter 12 License and Permits Municipal Code**, swimming pools shall be subject to the following:

17:20.07(2)

- (2) **Pools and hot tubs should not be located any closer than 10 feet to a property line.** Surfaced terraces shall be permitted no closer than three (3) feet

to a lot line where accessory to a private residential pool. Sun decks shall be permitted no closer than five (5) feet to a lot line where accessory to a private residential pool. In any other case they shall be permitted within the setbacks and offsets on the property.

Chapter 30 Building Code Ordinance

30:30.03

30.03 APPLICATION OF "WISCONSIN UNIFORM DWELLING CODE" AND "WISCONSIN UNIFORM BUILDING CODE".

The Wisconsin Uniform Dwelling Code, Chapters 20 through 25, inclusive and all amendments thereto and the Wisconsin Uniform Building Code, are hereby made a part of this Code by reference and shall apply to all one and two family dwellings and alterations and additions thereto. For purposes of this Code the Wisconsin Uniform **Building Dwelling** Code shall ~~also~~ apply to alterations and additions to all one and two family dwellings constructed prior to the effective date of the Wisconsin Uniform Dwelling Code. (~~see also Section 30.12 - Definitions~~) A copy of said code is on file in the office of the Clerk-Treasurer.

30:30.07(1)

(1) PERMITS REQUIRED

No building or structure, or any part thereof, shall hereafter be built, enlarged, altered or demolished within the municipality or moved into, within or out of the municipality except as hereinafter provided, unless a permit therefore shall first be obtained by the owner or his agent from the Building Inspector.

Permits required are as follows:

- (a) Building
- (b) Air conditioning
- (c) Wrecking, demolition or razing (includes bearing or non-bearing walls)
- (d) Heating
- (e) Occupancy
- (f) Re-roofing and residing
- (g) Pools/Spas**
- (hg) Other permits as required by governing municipality and/or as listed in the Table No. 1 permit fee schedule.

30:30.08(4)

- (4) Non-transferability of Permits - Permits issued under this Code shall be non-transferable from one permit holder to another. In cases where a contractor has applied for and obtained a permit, commenced construction and for any reason whatsoever has abandoned or ceased activity on the project, or has been

removed from the project by the property owner, a new permit must be obtained by the contractor hired to finish the work. Upon the property owners written request for a new permit, and prior to the issuance of the new permit, the property owner must schedule an inspection to determine the status of the job at the time the contractors (permit applicants) were switched. In all such situations, there shall be no refund of the original fee. The new applicant shall make application for and purchase a new permit, which shall be assessed fees **at the discretion of the Building Inspector (proration of the fee shall be permitted)**. ~~identical to those assessed for the original permit (pro-ration of the fee shall not be permitted).~~