

Legislation Details (With Text)

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| File #: | BILL NO. 21-127 | Name: | |
| Type: | Ordinance - Committee | Status: | Agenda Ready |
| File created: | 6/3/2021 | In control: | City Council - Regular Session |
| On agenda: | 6/15/2021 | Final action: | 6/15/2021 |
| Title: | An Ordinance amending the Schedule of Fees and Charges effective July 1, 2021, to establish fees for Temporary Traffic Control permits for the City of Lee's Summit, Missouri. (F&BC 6/14/21) | | |
| Sponsors: | Public Works Admin & Engineering | | |
| Indexes: | | | |
| Code sections: | | | |
| Attachments: | 1. Ordinance, 2. Exhibit A | | |

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------------------------|--------------------------|--------|
| 6/15/2021 | 1 | City Council - Regular Session | for second reading | Pass |
| 6/15/2021 | 1 | City Council - Regular Session | adopted and numbered | Pass |
| 6/14/2021 | 1 | Finance and Budget Committee | recommended for approval | Pass |

An Ordinance amending the Schedule of Fees and Charges effective July 1, 2021, to establish fees for Temporary Traffic Control permits for the City of Lee's Summit, Missouri. (F&BC 6/14/21)

Issue/Request:

An Ordinance amending the Schedule of Fees and Charges effective July 1, 2021, to establish fees for Temporary Traffic Control permits for the City of Lee's Summit, Missouri.

Key Issues:

Public Works is requesting to establish a fee structure for Temporary Traffic Control Permits effective in FY22.

- A Temporary Traffic Control (TTC) Permit must be obtained from the City of Lee's Summit Public Works Department any time the authorized right-of-way user performs work or actions that narrows, closes, or otherwise impacts the normal flow of vehicular traffic or pedestrian traffic on any public street or sidewalk.

- In April 2021, the TTC Permit process was moved online to the City's Cityview Portal. This online environment allows for implementation of fees similar to other permits within the City.

- Public Works is requesting to establish a TTC Permit fee structure based on three categories of traffic control activity in the right-of-way (ROW): low impact, medium impact and high impact. Each fee is relative to the amount of time required by staff for review of traffic plans.

- \$40 - Sidewalk Closure or Parking Closure (low impact)
- \$55 - Lane Closure (s) (medium impact)
- \$80 - Lane/Road Closure(s) with Detour and/or Special Terms/Conditions (high impact)

The fee is not stacked - if the permit includes more than one type of activity, the fee is based on the activity with the highest impact.

Proposed Committee Motion:

I move to recommend to City Council for approval an Ordinance Amending the Schedule of Fees and Charges effective July 1, 2021, to establish fees for Temporary Traffic Control permits for the City of Lee's Summit, Missouri.

Background:

The Temporary Traffic Control (TTC) Permit was established in late 2009; with implementation beginning in 2010. The permit was established:

- To improve safety of the City's transportation system (roadways, bikeways and sidewalks)
- To improve operational efficiency and reduce delays experienced on the City's transportation system
- To better comply with federal, state and local law for traffic conditions and work zones impacting travel (i.e. Manual on Uniform Traffic Control Devices)
- To reduce the City's and ROW-Users incident liability and risk
- For improved regulation and oversight of the City ROW, and
- To minimize adverse infrastructure and public impacts caused by any ROW-User

At that time, no fee was included for TTC Permits to increase participation, encourage compliance and minimize associated financial impact to ROW-Users. TTC Permit compliance has increased substantially over the last ten years and the number of permits issued continues to rise. TTC Permitting is no longer a new concept and has become a routine requirement/practice for ROW users. TTC Permitting was moved to an online application process in 2021. In consideration of program maturity, recent online access and a budgetary desire to recover associated staff expenses associated with TTC Permits, a fee structure is now proposed.

Fees proposed are based on past experience with estimated hours and personnel required for three typical types of TTC Permit applications (covering a broad range of TTC activities). These fees are conservatively less than the actual costs to process permits. These fees correlate to TTC Permit applications representing low, medium, and high demands for staff resources. Staff positions assumed engaged in TTC Permit processing for the development of these fees was limited to office personnel. Staff does not currently have sufficient availability for regular inspection and enforcement of TTC Permits, and typically only respond to TTC issues on a complaint basis. Consequently, the fees proposed encapsulate the TTC Permit process only from application to issuance. Fees do not include any post issuance activities, inspection resources, enforcement time, or public impact costs like other jurisdictions may include.

The fees proposed are within the range of comparable community TTC Permit costs. Few agencies may offer a lower cost TTC Permits, but most are much higher than the fees currently proposed for Lee's Summit. Some other jurisdictions like KCMO may have TTC Permit fees significantly greater than that currently proposed in the City of Lee's Summit for comparison. TTC Permit fee structures vary widely among jurisdictions. A community like Belton charges a fee based on roadway classification, number of lanes closed and duration (e.g. \$24/Arterial Lane/Day). An example permit fee in Belton would be around \$170 for a week long single lane arterial closure. KCMO charges an application fee (e.g. \$86) plus factored rates based on number of lanes impacted, traffic volume, detour length, days of closure, parking and sidewalk impacts. An example KCMO permit fee would be over \$3,000 for a week long closure of a fairly low volume minor arterial with one mile detour. In these examples, the proposed fee for TTC Permit in Lee's Summit would be no more than \$80 for a lane closure that detours traffic on an Arterial roadway for a week.

In time, it may be appropriate to increase the City of Lee's Summit's fees (or change its fee structure) based on a desire to recover more costs, better align with nearby jurisdiction TTC fees, reflect increased cost of service, account for changes in experienced time demands for applications, or to include inspections/enforcement for improved compliance

and traffic conditions. Staff believes the structure currently proposed is a good start and simple transition from no fee permitting that should be revisited on an annual basis. The proposed fee structure is not cost prohibitive and should not discourage compliance. It's also easily integrated into the new online permitting process.

Impact/Analysis:

Estimated annual revenue is \$7,600, based on 2019 permit levels.

Other Information/Unique Characteristics:

The City Council approved ordinance No. 9105 on March 16, 2021, repealing previous ordinances related to the Schedule of Fees and Charges for the City of Lee's Summit and establishing a new Schedule of Fees and Charges to take effect July 1, 2021, for the City of Lee's Summit, Missouri.

George M. Binger, III, P.E., City Engineer

Recommendation: Staff recommends approval of the ordinance.

Committee Recommendation: [Enter Committee Recommendation text Here]