

ORDINANCE NO. 707

AN ORDINANCE ESTABLISHING MUNICIPAL POLICIES FOR REIMBURSEMENT OF PROFESSIONAL FEES.

WHEREAS, the Board of Trustees has determined that the fiscal impact of annexation, subdivision and development should properly be borne by those parties who receive the benefits; and,

WHEREAS, the Town's staff has determined that the typical municipal expenditures incurred by the Town in processing subdivision and zoning related applications vary for each parcel of real property being annexed, master planned, subdivided or for processing a zoning or variance application.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO.

Section 1. Annexation, Subdivision, Master Plan and Zoning Deposit:

These fees shall apply to the following processes commenced on or after the effective date of this ordinance.

- a. Upon receipt of a petition for annexation which includes zoning, the applicant shall pay \$300.00 plus \$10.00 per acre.
- b. Upon receipt of a petition for subdivision, the applicant shall pay \$250.00 plus \$10.00 for each lot over 25 for a preliminary plat and \$300.00 plus \$10.00 per lot for each lot over 25 lots for a final plat.
- c. Upon receipt of a petition for a minor subdivision, the applicant shall pay \$150.00.
- d. Upon receipt of a petition for a P.U.D. (Planned Unit Development) the applicant shall pay \$250.00 plus \$10.00 per unit for the preliminary plan and \$450.00 plus \$10.00 per unit for the final plan.
- e. Upon receipt of a petition for a Site Plan the applicant shall pay \$150.00.
- f. Upon receipt of a petition for a R.O.W. (Right of Way) vacation the applicant shall pay \$150.00.
- g. Upon receipt of a petition for an easement vacation the applicant shall pay \$50.00.

h. Upon receipt of a petition for a replat of subdivision the applicant shall pay \$100.00 plus \$5.00 per lot.

i. Upon receipt of a petition for zoning or rezoning the applicant shall pay \$250.00.

j. Upon receipt of a petition for a variance the applicant shall pay \$100.00.

k. Upon request for a computer check on a final plat the applicant shall pay the actual cost.

l. Upon receipt of a petition for a storm drainage plan the applicant will pay the actual cost.

m. Upon receipt of a petition for a replat the applicant shall pay \$7.00 per redefined lot in subdivisions and \$10.00 per redefined lot in unit developments.

n. Upon receipt of a petition for a variance from the building code the applicant will pay \$50.00.

o. Upon receipt of a petition for a variance from the zoning code the applicant will pay \$25.00.

Section 2. Calculation of Fees

(a) In order to keep track of the expenses incurred by the Town the Town's administrative staff including, but not limited to, engineering, administration and legal shall keep track of the time expended by each person involved in the process precipitated by the petition. The Town shall annually establish an hourly fee for each staff person involved in the process. The applicant shall receive a credit for the amount of the fee already paid, but in any event, not less than that amount will be assessed. The applicant will also pay the associated costs related to the submittal such as postage, copies and publication fees.

(b) Upon completion of the process for which the petition was filed these administrative expenses will be tabulated. The applicant shall be notified of the Town's actual administrative costs. The applicant shall remit the balance prior to the Board of Trustees taking final action.

(c) The Town Administrator or Board of Trustees may waive all or any portion of the deposit and administrative expenses for an annexation, zoning, or variance when it is determined that the deposit is extremely disproportionate to the Town's anticipated actual costs or it is in the Town's best interest not to charge a fee.


Section 3. Effective Date:

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force thirty (30) days after publication.

At its meeting July 26, 1994, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on the 9th day of August, 1994. After the public hearing, the Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 9th day of August, 1994.

ATTEST:

TOWN OF BERTHOUD:


Mary K. Cowdin - Town Clerk


Richard D. Strachan - Mayor

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