TOWN OF TIMNATH, COLORADO
RESOLUTION NO. 57, SERIES 2019

A RESOLUTION APPROVING DEFERRAL OF BUILDING PERMIT FEE

WHEREAS, the Town Council of the Town of Timnath ("Town") pursuant to C.R.S. § 31-15-103, has the power to pass resolutions; and

WHEREAS, attached hereto as Exhibit A is a letter and agreement for deferral of a building permit fee; and

WHEREAS, the Town Council finds deferral of the first building permit fee for a period of four years while applying 25% of the sales tax revenue generated by the business to the cost of the permit fee for the Backyard Bird is appropriate; and

WHEREAS, the owner of the Backyard Bird will be responsible for paying for the balance due on the building permit at the end of four years; and

WHEREAS, the Town Council is familiar with the Agreement and finds it to be in the best interest of the Town, its residents, and the general public.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO AS FOLLOW:

Section 1. Approval
The Agreement is hereby approved in substantially the form as attached hereto, subject to technical or otherwise non-substantive modifications, as deemed necessary by the Town Manager in consultation with the Town Planner, Engineer, Legal Counsel, and other applicable staff or consultants.


TOWN OF TIMNATH, COLORADO

[Signature]

[Seal]
ATTEST:

[Signature]

Milissa Peters-Garcia, CMC
Town Clerk
EXHIBIT A
Letter and Agreement
SUBJECT: Economic Assistance for Small Retailers

We, Matt and Nicole Smith, confirm that we are the owners of Backyard Bird and that:

1. We have applied for a building permit for the Backyard Bird Restaurant:

2. We agree and understand that the Council will defer the fee for the building permit for this project for four (4) years. During that time 25% of the sales tax collected on the business will be applied as a credit on the building permit cost. At the end of four years, we will be responsible for paying any balance due on the building permit. If we close the business prior to any pay off of the entire building permit or sell the business to a new owner, we will be responsible for paying the balance due within sixty (60) days of closing.

3. Any further building permit fee deferrals will have to be approved by Town Council.

Signed:

[Signature]

Matthew Smith
Printed name

Nicole Smith
Printed name

10/15/19
Date