

**TOWN OF TIMNATH, COLORADO  
RESOLUTION NO. 63, SERIES 2023**

**A RESOLUTION APPROVING FEE EXEMPTIONS  
FOR THE POUFRE SCHOOL DISTRICT**

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

**WHEREAS**, the Town does not provide educational services to its constituents; and

**WHEREAS**, the Town is a home rule municipal corporation and political subdivision of the State of Colorado (“State”), and the Poudre School District R-1 (“PSD”) is a political subdivision of the State; and

**WHEREAS**, the Town, pursuant to Timnath Municipal Code Section 4-6-70(a), may grant, by resolution, an exemption from all or any part of the capital expansion fees or any other fees imposed upon new development by the Town upon a finding that such waiver is in the best interest of the public by encouraging activities that provide significant social, economic or cultural benefits; and

**WHEREAS**, the Town, pursuant to Timnath Municipal Code Section 4-6-70(b), finds that such institutional buildings qualify for exemption from the capital expansion fees because such uses provide a significant social, economic and cultural benefit to the Town and its residents; and

**WHEREAS**, the Town and PSD have entered into an Intergovernmental Agreement (“IGA”) for the purposes of land dedication or payment in lieu of land dedication for school purposes. Said IGA establishes a mechanism for the Town to collect funds on behalf of PSD and remit those funds to PSD for school land acquisition; and

**WHEREAS**, the Town and the City of Fort Collins have entered into an IGA that identified the possibility of PSD disconnecting from Fort Collins and annexing to Timnath at the request of PSD; and

**WHEREAS**, the Town, pursuant to Timnath Municipal Code Sections 16-10-5 – Annexation Application, 16-10-6 – Annexation Petition, and the corresponding 4-20 – Fee Schedule, the Town would hereby collect \$500.00 plus \$150.00 per acre plus \$2,000.00 deposit fee for professional and administrative costs for the Annexation Application. In addition, the Town would also collect \$500.00 plus \$300.00 per acre plus \$2,000.00 deposit fee for professional and administrative costs for the Annexation Petition Filing Fees. Said fees would amount to a total of approximately \$27,500; and

**WHEREAS**, the Town Council finds that the waiver of certain Annexation Application and Petition Fees, and other fees imposed upon new development by the Town is in the best interest of the Town, its residents, and the general public by providing significant benefit to the Town to waive said fees.

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

**Section 1. Approval**

The waiver of certain Annexation Application and Petition Fees (in their totality), in the approximate amount of \$27,500 is hereby approved, on the basis of Municipal Code Section 4-6-70(a), granting the Town Council the authority to waive all or any part of the capital expansion fees or any other fees imposed upon new development. The exact amount shall be determined at time of Annexation Application and Petition submissions and shall be based on the actual land area being annexed to the Town. The intent of this waiver is to waive all Annexation Application and Petition Fees as well as any other capital expansion or other fees that may be imposed by the Town. Identification of those other fees and the allowance to waive said fees shall be deemed hereby approved by the Town Council and thereby extending that authority to the Town Manager, in consultation with legal counsel, as determined to be necessary and appropriate to protect the interests of the Town or effectuate the purposes set forth herein and not otherwise inconsistent with this resolution.

**INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, ON OCTOBER 24, 2023.**

**TOWN OF TIMNATH, COLORADO**



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Brett Hansen, Mayor Pro Tem

**ATTEST:**



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Milissa Peters-Garcia, CMC  
Town Clerk

