

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 5, SERIES 2024**

**AN ORDINANCE AMENDING CHAPTER 4 OF THE MUNICIPAL CODE
REGARDING IMPACT FEES AND UPDATING THE ASSOCIATED FEE
SCHEDULES THEREIN**

WHEREAS, the Town of Timnath (the “**Town**”) is a home rule municipality operating under the Timnath Home Rule Charter, adopted on November 7, 2006 and amended on November 3, 2015, April 5, 2022, November 8, 2022, and June 27, 2023, and (the “**Charter**”), and the Town’s Municipal Code (the “**Code**”). Pursuant to the Charter, the Code, and the authority given home rule municipalities by the Colorado Constitution, the Town may adopt and amend ordinances; and

WHEREAS, pursuant to Article XX, Section 6 of the Colorado Constitution, the right to enact, administer and enforce fees are clearly within the constitutional grant of power to the Town and is necessary to raise revenue with which to conduct the affairs and render the services performed by the Town; and

WHEREAS, pursuant to such authority, the Town has adopted and enacted the Development Review Related Fees and capital improvement expansion fees (“**Impact Fees**”), which the Town collects; and

WHEREAS, the capital improvement expansion fees are imposed for the purpose of funding the provisions of additional capital improvements as the Town's population increases to regulate the use and development of land by ensuring that new growth and development in the Town bear a proportionate share of the costs of capital expenditures necessary to provide police services, parks, open space and trails, public buildings, transportation, and storm drainage; and

WHEREAS, the Town has undertaken a new fee study, as set forth in the Town of Timnath Impact Fee Study report by BBC dated November 29, 2023; and

WHEREAS, the Town’s Finance Director has recommended to update the schedule of capital improvement expansion fees to reflect the new fee study; and

WHEREAS, the Town Council wishes to adopt such updated fee schedule, as well as to provide for annual increases per inflation, and finds that the fees establish a fair and equitable allocation of costs and are necessary to help fund new capital improvements which are necessitated by new development and to ensure that new development pays its own way; and

WHEREAS, the Town Council wishes to make certain amendments to Article 6 “**Capital Improvement Impact Fees**” of Chapter 4 of the Municipal Code to clarify provisions re: the calculation and collection of capital improvement expansion fees; and

WHEREAS, the Town wishes to amend the Article 8 “**Development Review Related Fees**” of Chapter 4 of the Municipal Code; and

WHEREAS, the Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of public health, welfare, peace, safety and/or property and that this Ordinance is necessary for the protection of public convenience and welfare.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF TIMNATH, COLORADO, ORDAINS:

1. Chapter 4, Article 6 of Timnath Municipal Code is hereby amended as follows (additions are underlined and deletions are shown with a ~~strikethrough~~).

ARTICLE 6 - Capital Improvement Impact Fees

Sec. 4-6-10. - Establishment of capital improvement expansion fees.

The provisions of this Article are intended to impose certain fees to be collected at the time of building permit issuance for a full building, core and shell or tenant finish, as indicated, in an amount calculated as shown herein for the purpose of funding the provisions of additional capital improvements as the Town's population increases. The imposition of said fees is intended to regulate the use and development of land by ensuring that new growth and development in the Town bear a proportionate share of the costs of capital expenditures necessary to provide police services, parks, open space and trails, public buildings, transportation, and storm drainage. Said fees shall not be used to collect more than is necessary to fund such capital improvements. The fees provided for in this Article are based on the Town of Timnath Impact ~~Fees and Special Fees~~Fee Study dated November ~~11, 2015~~29, 2023, which establishes a fair and equitable allocation of costs and recognize past and future payments for new development, as well as credits for construction, dedication of land or cash contributions. The Fees set forth in Section 4-6-50 are set by the Town Council in its legislative capacity and shall be applicable to all new developments, except as expressly provided in this Article. Funds collected from said fees shall not be used to remedy existing deficiencies, but only to provide new capital improvements which are necessitated by new development. The amount of revenue generated by said fees shall not exceed the cost of providing the capital improvements for which they are imposed, and the same shall be expended solely to provide the specified capital improvements. ~~The Timnath Town Council may, by resolution, authorize the waiver or reduction of certain Capital Improvement Expansion Fees established herein and associated with any building permit as deemed appropriate for the betterment of the Town.~~

Sec. 4-6-20. - Calculation of capital improvement expansion fees.

For each category of capital improvements for which a capital improvement expansion fee is established under the provisions of this Article, the amount of each such capital improvement expansion fees shall be determined on a per dwelling unit basis or on the

basis of each square foot of new construction (in the case of ~~commercial or industrial~~non-residential development).

Sec. 4-6-30. - Imposition, computation and collection of fees.

(a) Payment of the fees imposed under the provisions of this Article shall be required as a condition of approval of all development in the Town for which a building permit is required. For any property annexed to the Town containing structures, a condition of approval of the annexation shall be payment of the fees imposed under this Article as if a building permit was being requested for each structure on the annexed property. The amount of such fees has been calculated using current levels of service and the data and methodologies described in the Town of Timnath Impact ~~Fees and~~ Special Fees-Fee Study dated November ~~11, 2015~~29, 2023.

(b) The fees due for such development shall be payable by the applicant to the Town prior to or at the time of issuance of the first building permit by which the impact is generated, for example, at time of tenant finish depending on the circumstance, for the property to be developed, unless an agreement has been executed by the Town which provides for a different time of payment- or except as otherwise set forth herein. If the building permit for which a fee has been paid has expired and an application for a new building permit is thereafter filed, any amount previously paid for a capital improvement expansion fee and not refunded by the Town shall be credited against any additional amount due under the provisions of this Article at the time of application for a new building permit.

(c) Until paid in full, the ~~fees~~ fees imposed under the provisions of this Article shall be a lien upon each lot or parcel of land from the due date of the fee until paid. If such fees are not paid when due, in addition to any other means for collection of the fees provided by law, the Town may certify such delinquent fees to the County Treasurer and the fees may be collected in the same manner as though they were part of the taxes on the property. The Town reserves the right to withhold or revoke any permits, certificates or other approvals to any applicant who is delinquent in the payment of fees.

(d) Upon a change in the use of property or expansion / redevelopment of a property, where the new use is larger or is in a different category for which additional or higher fees are applicable, additional Capital Improvement Expansions Fees shall be due and payable prior to the issuance of a building permit, or if no building permit is required, then at such time as the new use is actually commenced. The additional capital improvement expansion fees shall be the difference between the capital improvement expansion fees for the new use / development of the property and a Redevelopment Credit as set forth in subsection (e) below. In the event that the Redevelopment Credit would equal or exceed the capital improvement expansion fees for the new use, the owner shall not owe additional capital improvement expansion fees, but no refund shall be made to the owner.

(e) Whenever an existing use on a lot is changed, Redevelopment Credit for capital improvement fees shall be calculated, in accordance with the following:

(1) The amount of the Redevelopment Credit shall be the amount of Capital Improvement Expansions Fees that would be due for a discontinued use as calculated in accordance with the then current Capital Improvement Expansions Fees schedule. If no use is then in existence, the Redevelopment Credit shall be based on Capital Improvement Expansions Fees that would be due for the last previous use for which a certificate of occupancy or letter of completion was issued by the Town.

(2) Partial Change in Use. If a change in use occurs in only a portion of a structure that is physically separated and permitted for a single use, the additional Capital Improvement Expansions Fees and Redevelopment Credit shall be calculated only on that portion of the structure for which the use is changed.

(3) The Redevelopment Credit shall be applied only to Capital Improvement Expansions Fees due for new uses established on the same lot. If capital improvement expansion fees for the new use on the lot are greater than the amount of the Redevelopment Credit, the difference shall be due at the time set forth in this Article. If Capital Improvement Expansions Fees for the new use on the lot are less than the amount of the Redevelopment Credit, no additional capital expansion fees shall be due for the new use on the lot, but no refund shall be made.

(4) No additional capital improvement expansion fees will be collected for the replacement of buildings that have been destroyed or redeveloped with the identical level of impact.

(5) Any Redevelopment Credit established under this section shall not constitute a property right of any kind and shall not be owned by the property owner or transferable or assignable by the property owner to any third party or to any other lot.

Sec. 4-6-40. - Establishment of accounts.

The Town shall establish separate accounts for each of the fees imposed under the provisions of this Article, into which shall be deposited all fees collected for each such category of capital improvement. Interest earned on each such account shall be considered funds of the accounts and shall be used solely for the purposes authorized for such funds as provided herein.

Sec. 4-6-50. - Fees for particular public facilities.

(a) Police Impact Fee.

(1) There is hereby established a police impact fee which is imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to provision of law enforcement services, as such improvements may be identified in the capital improvements plan for law enforcement services. Such fee shall be payable prior to the issuance of any building permit for any structure-, except that in the case of a non-residential (commercial, office, or industrial) building permit for Core and Shell only the

fee shall be assessed and payable prior to issuance of a building permit for tenant finish. The amount of such fee is set forth in Appendix 4-A to this Chapter.

(2) All fees collected under this Subsection shall be deposited into a separate account within the capital improvements expansion fund, to be known as the "police capital improvements expansion account." This account shall be an interest-bearing account, and any interest income earned on the fees shall be credited to the account. Funds withdrawn from the account shall be used only for the purposes specified in this Subsection, and said expenditures shall be subject to the provisions of this Article.

(b) Parks, open space and trails impact fee.

(1) There is hereby established a parks, open space and trails impact fee which is imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provision of parks, open space and trail services, as such improvements may be identified in the capital improvements plan for parks, open space and trail services. Such fee shall be payable prior to the issuance of any building permit for a residential structure. The amount of such fee is set forth in Appendix 4-A to this Chapter.

(2) All fees collected under this Subsection shall be deposited into a separate account within the capital improvements expansion fund, to be known as the "parks, open space and trails capital improvements expansion account." This account shall be an interest-bearing account, and any interest income earned on the fees shall be credited to the account. Funds withdrawn from the account shall be used only for the purposes specified in this Subsection, and said expenditures shall be subject to the provisions of this Article.

(c) Public Buildings Impact Fee.

(1) There is hereby established a public buildings impact fee which is imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provision of public buildings, as such improvements may be identified in the capital improvements plan for public buildings to serve the residents and businesses within the Town. Such fee shall be payable prior to the issuance of any building permit for any structure, except that in the case of a non-residential (commercial, office, or industrial) building permit for Core and Shell only the fee shall be assessed and payable prior to issuance of a building permit for tenant finish. The amount of such fee is set forth in Appendix 4-A to this Chapter.

(2) All fees collected under this Subsection shall be deposited into a separate account within the capital improvements expansion fund, to be known as the "public buildings capital improvements expansion account." This account shall be an interest-bearing account, and any interest income earned on the fees shall be credited to the account. Funds withdrawn from the account shall be used only for the purposes specified in this Subsection, and said expenditures shall be subject to the provisions of this Article.

(d) *Stormwater Impact Fee.*

(1) There is hereby established a stormwater impact fee which is imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provision of stormwater infrastructure, as such improvements may be identified in the capital improvements plan for stormwater improvements to serve the residents and businesses within the Town. Such fee shall be payable prior to the issuance of any building permit for any structure. The amount of such fee is set forth in Appendix 4-A to this Chapter.

(2) All fees collected under this Section shall be deposited into a separate account within the capital improvements expansion fund to be known as the "stormwater capital improvement expansion account." This account shall be an interest-bearing account, and any interest income earned on the fees shall be credited to the account. Funds withdrawn from the account shall be used only for the purposes specified in this Section and said expenditures shall be subject to the provisions of this Article.

(e) *Transportation Impact Fee.*

(1) There is hereby established a transportation impact fee which is imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provision of transportation system expansions, as such improvements may be identified in the capital improvements plan for transportation improvements to serve the residents and businesses within the Town. Such fee shall be payable prior to the issuance of any building permit for any structure, except that in the case of a non-residential (commercial, office, or industrial) building permit for Core and Shell only the fee shall be assessed and payable prior to issuance of a building permit for tenant finish. The amount of such fee is set forth in Appendix 4-A to this Chapter.

(2) All fees collected under this Section shall be deposited into a separate account within the capital improvements expansion fund to be known as the "transportation capital improvement expansion account." This account shall be an interest-bearing account, and any interest income earned on the fees shall be credited to the account. Funds withdrawn from the account shall be used only for the purposes specified in this Section and said expenditures shall be subject to the provisions of this Article.

(f) The capital improvement expansion fees imposed in this Section shall be adjusted annually, effective January 1 of each year. The adjustment shall be equal to the percentage change in the construction cost index for the Denver area as set forth in the preceding year's September issue of the Engineering News-Record published by McGraw Hill Companies. However, with respect to the transportation impact fee, the adjustment factor shall be equal to the most current preceding eight quarters' average annual percentage change in the construction costs as determined by the Colorado Department of Transportation Construction Cost index.

Sec. 4-6-55. - Special fees.

(a) *Boxelder Floodplain Improvement Special Fee.*

(1) There is hereby established a Boxelder floodplain improvement special fee which is imposed pursuant to the provisions of this Article for the purpose of facilitating certain improvements to the Boxelder floodplain that would remove properties currently located in the floodplain. Such improvements may be identified in the capital improvements plan for Boxelder floodplain improvements to benefit the residents and businesses within the floodplain. Such fee shall be assessed to those properties located within the Boxelder floodplain and shall be based on a removed per acre basis and shall be payable prior to the issuance of any building permit for any structure within the floodplain or at time of final plat approval per a Subdivision Improvement Agreement. The amount of such fee is set forth in Appendix 4-A to this Chapter.

(2) All fees collected under this Section shall be deposited into a separate account within the capital improvements expansion fund to be known as the "Boxelder floodplain capital improvement expansion account." This account shall be an interest-bearing account, and any interest income earned on the fees shall be credited to the account. Funds withdrawn from the account shall be used only for the purposes specified in this Section and said expenditures shall be subject to the provisions of this Article.

Sec. 4-6-60. - Construction and Dedication Credits ~~toward fee due.~~

(a) In the Town's discretion, the Town may provide Construction and Dedication Credits towards any of the fees imposed by this Article if the Town finds that the developer has met the following requirements:

(1) The developer has dedicated land or constructed and dedicated capital improvements which are described in the applicable capital improvement plan as being land or improvements anticipated to be paid from the applicable capital improvement expansion fund; and not otherwise required to be constructed by the developer by Town Code, the Town's Land Use Code or agreement with the Town; and

(2) The applicant has requested the Construction and Dedication Credit prior to or at the time of application for the issuance of the first building permit for the development in which the land is dedicated or the capital improvement is constructed for which a fee was due and payable under the provisions of this Article; and

(3) The Construction and Dedication Credit does not exceed the lesser of the amount of the applicable fee due from the developer; and the estimated value of the dedication, as determined in the discretion of the Town; and

(b) Any Construction and Dedication Credit claimed under this Section shall be prorated among all the building permits for all structures in the development for which the Construction and Dedication Credit is granted.

Sec. 4-6-70. - Exemptions.

(a) The Town Council may, by resolution, grant an exemption or reduction 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. If the Town decides to reduce or exempt a property from payment of capital improvement expansion fees, it must identify an alternate source of revenue to keep the applicable capital improvement expansion fee fund(s) “whole.”

(b) The Town does not include institutional square footage, such as schools, government buildings or churches. The Town finds that such institutional buildings qualify for exemption from the capital improvement expansion fees because such uses provide a significant social, economic and cultural benefit to the Town and its residents. Further, such uses typically do not contribute heavily to peak period demand of police, parks, open space and trails, public buildings or streets.

(c) Nothing in this Article shall be construed as preventing the Town from entering into a reimbursement agreement with the developer whereby the developer may be reimbursed by the subsequent property owners benefiting from the dedication or construction; or reduce from reducing or eliminate eliminating the amount of the impact fee due at the time of issuance of a building permit, with the amount of such impact fee that would have been due paid for from the tax revenues generated by the use of the building. Any such reimbursement agreement, reduction or waiver shall be approved only by Resolution of the Town Council.

Sec. 4-6-80. - Use of fee proceeds.

The fees collected for each category of capital improvement specified in this Article shall be used to finance or to recoup ~~all~~ costs of any capital improvements identified in the applicable capital improvement plan. The Town shall be entitled to credit to the General Fund four percent of the fees collected under this Article to cover the costs associated with the collection of the same and the administration, investment, accounting, expenditure and auditing of the funds collected.

Sec. 4-6-90. - Appeals.

(a) Any developer may appeal the fee, credit or refund determined by the Town Manager to the Town Council pursuant to such hearing process as may be established by the Town. A written appeal must be submitted to the Town Manager before issuance of the applicable building permit or the right to appeal shall be thereafter waived.

(b) The burden of proof in any such hearing shall be on the applicant to demonstrate that the amount of the fee, credit or refund was not properly calculated by the Town. In the event of an appeal of the amount of the fee, the applicant shall prepare and submit to the Town an independent fee calculation study by a professional in impact analysis for the fee in question. The independent fee calculation study shall follow the methodologies used in the Town's Impact Fee Study, dated September 30, 2002, November 29, 2023 as it

may be amended. The applicant shall provide all relevant data, analysis and reports which would assist in determining whether the capital improvement expansion fee should be adjusted.

(c) All appeals must specify the reasons for the appeal and shall contain such data and documentation upon which the applicant seeks to rely. The amount of the fee shall be modified only if there is substantial competent evidence in the record of the hearing that the Town erred, based on upon the methodologies contained in the Town's Impact Fee Study, dated ~~September 30, 2002~~November 29, 2023, as amended.

Sec. 4-6-100. - Refunds.

(a) All fees collected pursuant to this Article shall be appropriated by the Town for expenditure within seven years from the date of payment of such fees and shall be expended by the Town for purposes approved herein within ten years of the date of payment. Any fees not so appropriated or expended shall be refunded, upon application, to the record owner of the property for which the impact fee was paid, together with the interest calculated from the date of collection to the date of refund; provided, however, that the Town shall retain two percent of such fee to offset the cost of the refund.

(b) In determining whether fee revenues have been appropriated or expended within the requisite period of time specified in this Section, monies in the applicable capital improvement expansion fee accounts shall be considered to be appropriated and expended on a "first in, first out" basis; that is, the first fees paid shall be considered the first fees appropriated and expended.

(c) Any application for a refund under the provision of this Section shall be made within 180 days of the expiration of the ten-year period following the date of payment of such fee. If a refund is due hereunder, the amount of such refund shall be divided proportionally among all applicants for refunds who have filed applications during said 180-day period; provided, however, that in no event shall the amount of any refund exceed the amount of the fee paid on behalf of the property for which the refund is sought, plus interest at the rate of five percent per annum.

(d) All applications for refunds shall contain a copy of the dated receipt issued for payment of the fee; a notarized and sworn statement that the applicant is the current owner of all of the real property for which the fee was paid; and a certified copy of the current deed to such property.

~~**Sec. 4-6-110. -- Unpaid capital expansion fee -- lien.**~~

~~All capital expansion fees shall be a lien upon each lot or parcel of land from the due date of the fee until paid. If such fees are not paid when due, in addition to any other means for collection of the fees provided by law, the Town shall certify such delinquent charges to the County Treasurer and the charges shall be collected in the same manner as though they were part of the taxes on the property. The Town reserves the right to withhold or~~

~~revoke any permits, certificates or other approvals to any applicant who is delinquent in the payment of capital expansion fees.~~

2. Chapter 4, Article 8 of Timnath Municipal Code is hereby amended as follows (additions are underlined and deletions are shown with a ~~strikethrough~~):

Sec. 4-8-10. - Applicant to pay costs.

Reasonable fees sufficient to cover the costs of administration, inspection, publication of notice and similar matters shall be charged to applicants for permits, plat approvals, zoning amendments, variances, site plans, annexations and disconnections, as well as all other land use approvals, and other administrative relief. The fee schedule is adopted herein as Appendix 4-A of Chapter 4 of the Timnath Municipal Code and is available from the Town Office. In addition, the applicant shall pay the actual costs of mailing and publishing all notices required herein.

Sec. 4-8-20. - Applicant review costs and deposit.

(a) In addition to the standard fees referred to in Section 4-8-10 above, the applicant and the owner of the property which is the subject of the application shall be required to pay any ~~actual~~ costs incurred by the Town for review of the application by consultants, or Town staff (based on number of hours times the estimated per hour cost for salary and benefits of Town employee), including but not limited to engineering, surveying, construction inspection, legal and planning, plus 15 percent of such ~~actual~~ costs for Town ~~staff~~staff's administrative costs and supplies. The applicant and the owner shall be joint and severally liable for such costs.

(b) The Town may require a deposit from applicants to offset the Town's costs for review prior to consideration of any application submittal pursuant to this Code. Subsequent deposits may be required when the initial deposits are depleted. ~~Subsequent deposits may, which shall~~ be ~~required~~ in excess of the ~~fee-applicable fees~~. The amount of subsequent deposits may be established to be sufficient to cover the estimated review costs of the Town for the following month. These deposits may exceed the total amount of fees collected.

(c) The Town shall not continue the processing of any application for which the applicant or the property owner has refused to deposit the funds to cover the Town's cost of review.

(d) Any funds deposited in excess of the fees remaining after paying the ~~actual~~ costs incurred by the Town shall be refunded to the applicant, without interest. If the amount of costs exceeds the amount on deposit with the Town, the Town shall bill the applicant and the owner of the property for the additional costs. Payments of deposit refills and costs in excess of the deposit shall be due and payable within thirty (30) days of receipt of an invoice from the Town.

~~(e) Town may certify to All costs due under this Section shall be a lien upon each lot or parcel of land from the County Treasurer due date until paid. If such costs are not paid when due, in addition to any amount due pursuant to this paragraph, other means for collection of the costs provided by law, the Town may certify to the County Treasurer any amount due pursuant to this paragraph. Section and the charges shall be collected in the same manner as a lien though they were part of the taxes on the property for which the application is submitted. In addition, the Town reserves the right to withhold or revoke any permits, certificates or other approvals to be due and payable with the real estate taxes for the Town if the any applicant or the property owner does not pay such amount within 30 days of written request by the Town who is delinquent in the payment of capital expansion fees.~~

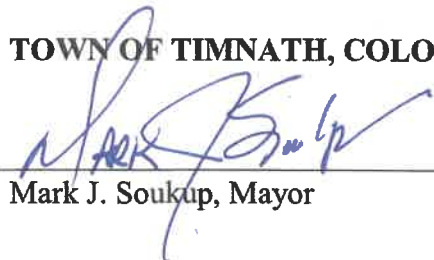
(f) The Town may require that the applicant enter into an agreement for payment of land use application review expenses incurred by the Town. Such form agreement is available for review at the Town and may be administratively modified from time to time to reflect changes to the development process.

3. Except as specifically amended herein, the Municipal Code shall continue in full force and effect without amendment.
4. The Timnath Fee Schedule attached to the Municipal Code as Exhibit A-4 is hereby amended and replaced with the Fee Schedule attached hereto, effective as of September 2, 2024. The amendments to Articles 6 and 8 of Chapter 4 of the Municipal Code shall take effect upon adoption.
5. No amendment set forth herein shall invalidate any prior imposed capital improvement expansion fees or other fees and costs.

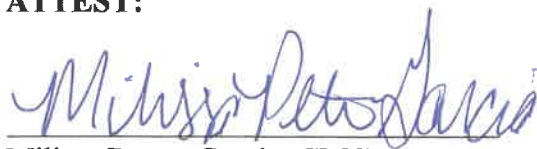
INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON JANUARY 23, 2024, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6 P.M. ON FEBRUARY 13, 2024 AT THE TIMNATH TOWN CENTER, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 23RD DAY OF JANUARY, 2024.

MOVED, SECONDED, AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JANUARY 23, 2024.

TOWN OF TIMNATH, COLORADO


Mark J. Soukup, Mayor

ATTEST:



Milissa Peters-Garcia, CMC
Town Clerk



Exhibit 4-A

APPENDIX 4-A Fee Schedule

4-10. Definition.

For the purposes of this appendix, the word *fee* means a fixed charge for services provided by the town.

(Prior code, § 4.101; Ord. No. 11, § 1, 2015, 11-10-2015)

4-20. Fee schedule.

(a) In the event of a conflict between the fees, rates and charges listed in this Appendix and the text of any individual section of this Code, the provisions of this Appendix shall control. Fees established in this Code are as follows:

CHAPTER		4
Code Section	Description	Amount of Fee
4-3-40	Sales tax vendors	3 1/3% of total amount
4-4-20	Use tax	3% of retail cost
4-6-50(a)	Police impact fee	\$659.00 289.00 per residential dwelling unit \$330.00 116.00 per 1,000 square feet of retail <u>non-residential</u> buildings \$231.00 per 1,000 square feet of office/industrial buildings
4-6-50(b)	Parks, open space and trails impact fee	\$3,669.00 5,816.00 per residential dwelling unit Not applicable to retail or office/industrial <u>non-residential</u> buildings
4-6-50(c)	Public buildings impact fee	\$800.00 2,978.00 per residential dwelling unit \$401.00 1,197.00 per 1,000 square feet of retail <u>non-residential</u> buildings 281.00 per 1,000 square feet of office/industrial buildings
4-6-50(d)	Stormwater impact fee	\$560.00 0.00 per residential dwelling unit

		\$267.00 0.00 per 1,000 square feet of <u>retailnon-residential</u> buildings \$267.00 per 1,000 square feet of office/industrial buildings-
4-6-50(e)	Transportation impact fee	\$2,003.00 3,658.00 per residential dwelling unit \$4,954.00 4,499.00 per 1,000 square feet of <u>retailnon-residential</u> buildings \$2,464.00 per 1,000 square feet of office/industrial buildings-
4-6-55(a)	Boxelder floodplain improvement special fee	\$6,726.00 per acre of ground removed from the Boxelder floodplain
Appx. 4-30	Returned checks	\$20.00 per occurrence