



## ORDINANCE NO. 1504

**AN ORDINANCE APPROVING AND ADOPTING THE TEMPORARY ELIMINATION, REDUCTION, OR DEFERRING OF CERTAIN FEES FOR A PERIOD OF TWELVE MONTHS INCLUDING THE SERVICE EXPANSION FEE, THE WATER ACQUISITION FEE, THE SCHOOL IMPACT FEE, THE PARK IMPACT FEE, THE PLOT PLAN REVIEW FEE, THE RESIDENTIAL CONSTRUCTION EVALUATION STUDY SURCHARGE, THE COMMERCIAL SITE DEVELOPMENT PLAN FEE, AND OTHER FEES RELATING TO DEVELOPMENT REVIEW, AND MAKING NECESSARY CHANGES TO THE FOUNTAIN MUNICIPAL CODE FOR THE PURPOSE OF ENCOURAGING ECONOMIC DEVELOPMENT WITHIN THE CITY OF FOUNTAIN, COLORADO**

WHEREAS, due to current economic conditions the City of Fountain, Colorado (the “City”) is not receiving the number of applications for residential building permits that it has received in the past; and

WHEREAS, the City desires to encourage the construction of residential housing within the City; and

WHEREAS, development of additional residential housing within the City will encourage the development of additional commercial retail development; and

WHEREAS, the City Council concludes that a temporary reduction, elimination or deferral for a period of twelve months of certain fees related to development will encourage additional residential development in Fountain and encourage additional commercial retail development in Fountain; and

WHEREAS, certain amendments to the Fountain Municipal Code are necessary in order to implement the temporary twelve month reduction, elimination or deferral of certain fees; and

WHEREAS, certain amendments to fees adopted by the City Council by resolution or motion are necessary to implement the temporary twelve month reduction, elimination or deferral of certain fees.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FOUNTAIN:

Section 1. The Whereas clauses are adopted as findings in support of this ordinance.

Section 2. During the effective period of this Ordinance, from July 6, 2010 through July 6, 2011 the Service Expansion Fee authorized by Chapter 3.20 of the Fountain Municipal Code shall not be imposed or collected by the City.

Section 3. The suspension of the imposition and collection of the Service Expansion Fee authorized by Section 2 of this ordinance is a temporary suspension only during the period authorized under Section 2 of this Ordinance.

Section 4. On July 7, 2011 and thereafter the Service Expansion Fee shall be imposed and collected as authorized under Chapter 3.20 of the Fountain Municipal Code.

Section 5. During the effective period of this Ordinance, from July 6, 2010 through July 6, 2011 the \$6,500 water acquisition fee for a  $\frac{3}{4}$  inch tap size imposed by Section 13.04 270 E. of the Fountain Municipal Code shall be reduced from \$6,500 to \$5,850.

Section 6. The reduction of the Water Acquisition Fee authorized by Section 5 of this Ordinance is a temporary suspension only during the period authorized under Section 5 of this Ordinance.

Section 7. On July 7, 2011 and thereafter the Water Acquisition Fee as authorized for a  $\frac{3}{4}$  inch tap size imposed by Section 13.04. 270 E. of the Fountain Municipal Code shall be \$6,500.

Section 8. During the effective period of this Ordinance, from July 6, 2010 through July 6, 2011 the Park Impact Fee shall be reduced to \$931.50 per residential dwelling unit.

Section 9. During the effective period of this Ordinance, from July 6, 2010 through July 6, 2011 no Park Impact Fee shall be imposed or collected on commercial development.

Section 11. During the effective period of this Ordinance, from July 6, 2010 through July 6, 2011 the School Impact Fee shall be reduced to \$677 per residential dwelling unit.

Section 12. During the effective period of this Ordinance, fees collected by the City at the time of issuance of a building permit shall be deferred until the issuance of a certificate of occupancy. If a temporary certificate of occupancy is issued, the fees otherwise due at the time of the issuance of a building permit shall be paid at the time of the issuance of the temporary certificate of occupancy. If a temporary certificate of occupancy is not issued, the fees shall be paid at the time of the issuance of a permanent certificate of occupancy.

Section 13. There is hereby adopted the fee schedule as set forth in Exhibit A, City of Fountain Temporary Development Fee Adjustments

Section 14. The fee schedule as set forth in Exhibit A; City of Fountain Temporary Development Fee Adjustments amends Exhibit "A "Development Review Fee Schedule" adopted by Resolution 08-030 during the period from July 6, 2010 through July 6, 2011.

Section 15. The fees set forth on Exhibit A City of Fountain Temporary Development Fee Adjustments as "NEW FEE" shall be in effect during the period from July 6, 2010 through July 6, 2011.

Section 16. Effective on July 7, 2011 all of the fees set forth in Exhibit A "Development Fee Review Schedule" as adopted by Resolution 08-030 shall be in effect and the "NEW FEE" as adopted in Section 14 of this ordinance shall terminate.

Section 17. The Surcharge for the Residential Construction Valuation Study of \$50 per single family residential dwelling unit as set forth in Exhibit A shall not be imposed or collected during the period from July 6, 2010 through July 6, 2011.

Section 18. The Plot Plan review fee of \$60 set forth in Exhibit A shall not be imposed or collected during the period from July 6, 2010 through July 6, 2011.

Section 19. The City Manager or the City Manager's designee may reduce or waive any of the fees set forth in Exhibit A under the following circumstances: a.) where there is an economic benefit to the City or its consumers of City services as determined by the City Council; b) any development fees listed under Exhibit A for other governmental entities; c) for any development fee listed under Exhibit A due to unique circumstances specific to any project, site or other development.

This Ordinance shall be in full force and effect from and after its passage and publication as provided by the City Charter.

Introduced, read by title, and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by City Council, City of Fountain, Colorado, signed by the Mayor, and ordered published by title with a summary written by the City Clerk together with a statement that the Ordinance is available for public inspection and acquisition in the office of the City Clerk in the El Paso County Advertiser and News, a newspaper of general circulation in the City of Fountain, Colorado, in accordance with the City Charter.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_

City Clerk

Introduced, read by title, and passed on second and final reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2010, signed by the Mayor and ordered published by title in the El Paso County Advertiser and News, a newspaper of general circulation in the City of Fountain, Colorado, in accordance with the City Charter.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk