

ORDINANCE NO. 07
(Series of 2008)

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO,
ADOPTING A NEW ARTICLE SECTION 16-1-100 OF THE SALIDA MUNICIPAL
CODE REGARDING FEES AND CHARGES FOR DEVELOPMENT SERVICES.**

WHEREAS, the City of Salida currently assesses fees and charges for development services according to a fee schedule adopted by Resolution No. 52-2007; and

WHEREAS, City staff has identified certain development-related fees and charges to be added to the schedule, and in doing so wishes to establish the City's authority to assess such fees and charges in the Salida Municipal Code (the "Code"); and

WHEREAS, the City will retain the discretion to amend fees and charges for development services by resolution to be posted at City Hall, and the new Code provision will expand on the current schedule to address payment of deposits, late fees and penalties, and consultant fees; and

WHEREAS, the Salida City Council finds and determines that the best interests of the Salida community will be served by adopting a new Section 16-1-100 of the Code regarding fees and charges for development services accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO:

Section 1. The aforementioned recitals are hereby fully incorporated herein.

Section 2. A new Section 16-1-100 of the Salida Municipal Code, entitled "Fees and Charges," is hereby adopted to read as follows.

Sec. 16-1-100. Fees and Charges.

(a) Every land use and development application shall be submitted with the appropriate fees and charges for the type of application being submitted along with a cost reimbursement agreement in a form approved by the City Attorney. For purposes of this Section, "land use and development application" shall include any and all applications filed pursuant to the Salida Land Use Code, requests for can and will serve letters from developments in unincorporated Chaffee County, and Title 32 special district service plan reviews pursuant to C.R.S. §32-1-201, *et seq.* The amount of such fees and charges shall be established by resolution of the City Council, as may be amended from time to time, and posted at City Hall. In addition to the minimum application fees, the applicant will also be charged the actual review costs and fees for outside professional services for review of the application. The minimum application fees shall be due and payable upon submission of the application. In addition, at the time of

submittal of the application, the applicant shall deposit funds equal to two (2) times the minimum application fee to be used as the initial payment to offset the costs of outside professional services for review of the application. After exhaustion of the initial deposit, statements for professional review services will be mailed to the applicant, and payment of such amounts is due within fifteen (15) days of receipt of the statement. Interest shall be imposed at a rate of one and one-half percent (1.5%) per month on all balances not paid within thirty (30) days of the date of the statement. In the event the City is forced to pursue collection of any amounts due and unpaid under this provision, the City shall be entitled to collect attorney's fees and costs incurred in said collection efforts in addition to the amount due and unpaid. The City reserves the right to suspend review of an application, withhold approval, or postpone public hearings if an applicant fails to pay outstanding review fees as required hereunder.

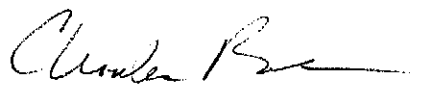
(b) All costs of providing notice, including publication, mailing and posting, shall be borne by the applicant.

(c) Recording and filing fees imposed by the County Clerk and Recorder, and others, as a result of the application, shall be advanced by the applicant prior to the documents being tendered for recording.

INTRODUCED ON FIRST READING, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation in the City of Salida by the City Council on the 7th day of April, 2008 and set for second reading on the 21st day of April, 2008.


INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY OR IN FULL, by the City Council on the 21st day of April, 2008.

CITY OF SALIDA, COLORADO



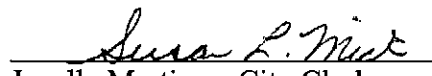
Charles Rose, Mayor

ATTEST:



Janella Martinez, City Clerk
Deputy

PUBLISHED IN FULL in the Mountain Mail after First Reading on the 10th day of April, 2008, and BY TITLE ONLY OR IN FULL, after final adoption on the 24th day of April, 2008.



Janella Martinez, City Clerk
Deputy