

Hi Bill,

We have reached out to our attorney with the information you sent over in your email about fees and this is what we got back:

"The exemption states:

(d) Charter school facilities are exempt from assessments of fees for building permits, except as provided in s. 553.80; fees for building and occupational licenses; impact fees or exactions; service availability fees; and assessments for special benefits."

"Development application fees do not fall within any of those statutory exemptions. A development review fee is a user fee to partially cover the City staff's time in review and processing of a development application, such as a rezoning or site plan approval. It is not a building permit fee. It is not a building and occupational license fee. It is not an impact fee or exaction. It is not a fee for the availability of services (i.e. readiness to serve charge), and it certainly is not an assessment for special benefits to property. The exemption does not have a catch-all provision for any user fee that a local government may charge and does not discuss any rezoning or site plan-related application fees".

Also, section 5.2 of the lease agreement with the school states that the Tenant (Cornerstone Charter Academy, Inc.) shall pay all "operating costs" and "impositions" in connection with the leased premises. Impositions are defined to include "all fines, penalties, fees, and levies that result from construction activities or the normal operations of the premises on the Leased Premises, all real estate property taxes, assessments, and other governmental charges that are laid, assessed, levied, or imposed on the Leased Premises".

Please let us know how you would like to proceed with this invoice issue.

I appreciate it very much.