



To: Mayor and Council
From: Jay Brunvand
Date: December 6, 2023
Agenda Item: Ordinance 22 – Series 2023

REQUEST:

Council is asked to approve Ordinance 22 – Series 2023 on Second Reading.

INTRODUCTION:

This is an annual Ordinance setting forth and approving the various fees proposed for Fiscal Year 2024 on Second Reading. The Town Municipal Code has many fees cited in various areas of the Code. This Ordinance combines those fees into one document. It is important to note that in the event a fee conflicts with the Code, the Code will prevail.

ANALYSIS:

This is an annual ordinance approved by Council to establish the annual fee schedule and any proposed fee increases. The fee schedule has been discussed in previous meetings with Council and each department, changes to the fees are reflected in the schedule. All fees will go into effect on January 1, 2024. This revised Fee Schedule attached reflects changes to LBP fees, snow dump fees, and broke out other fees more clear per discussions.

COMMUNITY INPUT:

As an Ordinance this will require a public hearing.

BUDGET / STAFF IMPACT:

This Ordinance formally sets the town fee schedule as laid forth in the Minturn Municipal Code and is a major source of revenue for the town's various funds. It is important to note that the fees are set administratively and are allowed by law to change year to year as necessary; whereas, a tax, such as the town's mill levy, is set by the voters and can only change via a formal election of the citizens.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #1 Practice fair, transparent, and communicative local government.

RECOMMENDED ACTION OR PROPOSED MOTION: Motion to approve Ordinance No. 22 – series 2023 (First Reading) an Ordinance annually setting, amending and approving town fees as set forth in the following attachment to be included in Appendix "A" of the Minturn Municipal Code for the Town of Minturn, Colorado fees commencing January 1, 2024

ATTACHMENTS:

- Ordinance 22– Series 2023

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 22 – SERIES 2023**

AN ORDINANCE ANNUALLY SETTING, AMENDING AND APPROVING TOWN FEES AS SET FORTH IN THE FOLLOWING ATTACHMENT TO BE INCLUDED IN APPENDIX “A” OF THE MINTURN MUNICIPAL CODE FOR THE TOWN OF MINTURN, COLORADO FEES COMMENCING JANUARY 1, 2024

WHEREAS, The Town of Minturn reviews and approves such fees by ordinance annually and as necessary, and;

WHEREAS, The fee schedule is available for review during regular business hours at the Town Offices as well as the Official Town Website.

NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO, ORDAINS:

Section 1.

The following fees and deposits are hereby set as set forth or added in Appendix “A” is adopted.

Section 2.

In the event of a conflict between the fees, rates and charges listed in this Appendix A and the Text of any individual section of the Town Code, the provisions of The Minturn Municipal Code shall control.

Severability. If any part, section, sub-section, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the Town Council for the Town of Minturn, Colorado hereby declares it would have passed this Ordinance and each part, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, sub-sections sentences, clauses or phrases be declared invalid.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 15th DAY OF NOVEMBER, 2023. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 6TH DAY OF DECEMBER, 2023 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 6TH DAY OF DECEMBER, 2023.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

Fees, Rates, and Charges Imposed Pursuant to the Minturn Town Code				
ITEM	DESCRIPTION	FEE 2023	OTHER	2024 Revisions
Administration				
Copies	per page	\$0.25		
CD-Town Code		\$50.00		
Bad Check fee		\$35.00		
Open Records Request				
Attorney-Administrative Description	per hour, minimum 1hr after first hour in 15min increments	\$185.00		
Town Staff-Administrative Description	per hour, minimum 1hr after first hour in 15min increments	\$33.58		
Past due monthly fee		\$35.00 plus 1.5%/month		
Real Estate Transfer Tax	per sale due at time of sale		1%	
Lodging Tax			1.5%	
Sales Tax - City			4%	
Use Tax - Construction			4%	
Credit Card Fee	For charges in excess of \$500		3%	
Meeting Room Fees				
	Deposit may be required			
Set-Up Fee	Used in Special circumstances. Will generally only use the space for Town related business or for Town partners. Will generally require they set up on their own.	\$50.00		
Flip Chart and Easel		\$25.00		
LCD Projector/screen		\$100.00		
Sound System/Microphones		\$100.00		
Full Room with Kitchen		\$300.00		
Full Room Without Kitchen		\$200.00		
Cleaning Deposit	Based on actual cost	\$250.00		
Nonprofit		\$50 set up fee		
Little Beach Park				
Minturn Resident		\$150/block \$250/day		\$150/half day \$250/day
Non Profit		\$50/\$100		\$50/\$100
Non Resident		\$200/block \$300/day		\$300/half day \$500/day
Special Event Permit				\$250/Town Property \$100/Private Property
Business Licenses:				
Initial License Fee		\$120.00		\$75.00
	Prorated at \$10/month			
Business License Fee	(Due 4/1-3/31)	\$120.00		\$75.00
In-Home License Fee		\$36.00		\$75.00
Home Business License-Renewal	(Major household income)	\$120.00		\$75.00
Mobile Food Vendor License		\$120.00		\$75.00
Outdoor Recreation License		\$120.00		\$75.00
Short Term Rental License		\$300.00		\$300 PER Bdrm/Sleep Rm
Snow Plow Business		\$120.00		\$75.00
Each additional vehicle		\$12.00		\$20.00
Peddler or Solicitor:				
License Fees				
1 Day		\$15.00		
2 Days Consecutively		\$30.00		
3 Days Consecutively		\$45.00		
5-Days Consecutively		\$75.00		
7 Days Consecutively		\$120.00		\$75.00
30 Days consecutively		\$240.00		\$75.00
Annual License	(Due 4/1)	\$240.00		\$75.00
Contractor:				
Annual License Fee - General	Valid for 3yrs	\$240.00		\$100/yr
Business List Print Fee		\$40.00		

ITEM	DESCRIPTION	FEE 2023	OTHER	2024 Revisions
MISCELLANEOUS FEES				
Professional Use Fee	Inc use of town Eng, Lawyer, etc	Set administratively based on cost Cost + 20%		
LIQUOR LICENSE APP FEES				
	All fees as set by State			
PUBLIC SAFETY				
Incarceration Fee	Assessed at current daily fee charged by the ECO Sheriff's Office			
Records Requests-Criminal Justice		.25pg + \$5.00 Admin Fee		
Clearance Letter	per individual	\$10.00		
Court Transcripts		\$250.00 Deposit/Actual Cost		
Court Fines		per Judge		
Court Fines-Payment Plan Fee	Per court direction	\$25.00		
Court Cost Fee		\$25.00		\$25 + 25% Aministrative Fee
Community Service Fee		\$25.00		
MINTURN BIKE PARK				
Programs-fee based	less than 4hrs/14ppl	\$100.00		
Programs-fee based	more than 4hrs/14ppl	\$200.00		
Exclusive Use for camp or clinic	less than 4hrs/14ppl	\$250.00		
Exclusive Use for camp or clinic	more than 4hrs/14ppl	\$500.00		
PUBLIC WORKS				
SNOW DUMP-TANDEM		\$50.00		\$75.00
SNOW DUMP-END DUMP		\$90.00		\$125.00
USE OF SNOW DUMP AT COMM GARDEN	MUST HAVE PRIOR WRITTEN APPROVAL-BILL USER NOT OPERATOR			\$150/SEASON
SNOW DUMP-FINE	ILLEGAL DUMPING-MINIMUM x4			
Water				
Cash deposit		\$100.00		
Debt Service Fee	Per SFE/Month	\$17.37		
Turn-on/Reconnect Fee		\$50.00		
Turn-off/Disconnect Fee		\$50.00		
Turn-on/Reconnect	For non metered water only	\$400.00		
Tap, inspection, connection fee				
(1) Residential Unit; per unit plus Tier fee per sq foot floor		Tap Fee \$12,940 SIF Tier 1 \$10.95/sqft SIF Tier 2 \$14.52/sqft SIF Tier 2 \$17.47/sqft		
Accessory Dwelling Unit (>750sf)	.5sfe	10.95sf		
Cash in Lieu of Water		\$40,501.00		
(2) Hotel/Lodge/Motel/Lock-off/Accommodation Unit:				
(a) per efficiency room		\$9,652.45		
(b) per room		\$6,650.00		
Out of Town Tap Fees are 25% higher				
Tap, Inspection, Connection Fee				
Commercial Service Line Size in inches: Set to equal ERWSD rates		These will automatically change once set by ERFDP in January		
	3/4in (1.5 SFE)	\$17,840.00		
	1in (2.6 SFE)	\$30,918.00		
	1in 1/2 (5.8 SFE)	\$68,973.00		
	2un (10.3 SFE)	\$125,730.00		
	3in (23.0 SFE)	\$275,911.00		
	4in (40.9 SFE)	\$486,376.00		
	6in (92.1 SFE)	\$1,095,240.00		
All out of Town Taps	Sec. 13-29(b)(1)	+ 50%		
Construction Use Rates	Sec. 13.65			
Any water use for construction	per month flat fee plus use	\$100.00		

ITEM	DESCRIPTION	FEE 2023	OTHER	2024 Revisions
Portable meter fee		\$100.00		
Portable meter water use		\$10.00/1000 gal		
Portable meter deposit or lost meter		\$1,750.00		
Unusual Water User Fee	Sec. 13.66	set Administratively		
Unmetered Water Rate	Sec. 13-4			Base x3
Monthly rate per SFE for Residential	Residential	\$137.70	Base + 25%	\$330.48
Policy related to other uses Commercial	Commercial	\$137.70	Base + 25%	\$330.48
Replaces Sec. 13-29(b)(2) Residential out of Town	Residential out of Town	\$165.24	Base + 50%	\$498.15
	Commercial out of Town	\$192.78	Base + 75%	\$578.34
	Seniors-Grandfathered (65 years or older)	\$82.62	Base -25%	\$247.86
Metered Water Rate	Sec. 13-4			
(a) Residential, basic monthly charge	per SFE	\$110.16		
plus a monthly above 0 gals. Use charge per 1,000 gallons		\$8.32		
(b) Commercial, basic monthly charge	per SFE	\$110.16		
plus a monthly above 0 gals. Use charge per 1,000 gallons		\$8.32		
(c) 25% discount for Residential Owner-Occupant over 65 years of age		\$82.62		
Out of Town Water Rate are 50% higher for Residential and 75% higher for Commercial	Sec. 13-29(b)(2)	R=\$166.05 C=\$192.78		
IRRIGATION/SPRINKLER USAGE RATES (NO STRUCTURE)	IRRIGATION	SPRINKLER USAGE RATES	SPRINKLER	
SFE factor based on meter size/kgal		(SFE based on associated structure)/kgal		
Tier 1 (0-8)	\$12.49	Tier 1 (0-20)	\$12.49	
Tier 2 (8-16)	\$18.74	Tier 2 (21-30)	\$18.74	
Tier 3 (16-24)	\$28.10	Tier 3 (31-40)	\$28.10	
Tier 4 (24-32)	\$42.19	Tier 4 (more than 40)	\$42.19	
Tier 5 (more than 32)	\$63.28		\$63.28	
Trash Collection	Plus \$10/can more than one	34.98		
Street Cut Fee				
Basic permit fee	Performance Bond may Required	\$75.00		
Basic utility fee		\$50.00		
	per Sec. 11-26			
	replacement of paving w/oil&chip surface/ per sq. ft.	Per Bid		
	dirt cuts	Per Bid		
	Backfilling	time, material, staff time		
	Saw cuts per lineal foot w/min fee 25.00	time, material, staff time		
	Any re-work	time, material, staff time		
Application for Encroachment	Sec. 11-3	\$40.00		
Encroachment Fee		\$16sqft annually		
Eagle River Fire Protection District Impact Fees*	THESE WILL AUTO UPDATE WHEN SET BY ERFPD IN JANUARY			
new meter size:	3/4 inch	\$1,734.00		
	1 inch	\$2,949.00		
	1.5 inch	\$5,724.00		
	2 inch	\$9,192.00		
	3 inch	\$19,078.00		
	4 inch	\$29,484.00		
	6 inch	\$57,234.00		

*Fees may be increased administratively to adjust for inflation. MMC Sec. 18-16-110

ITEM	2023 FEE	DETAIL	2024 REVISED AMOUNT
PUD Applications			
Pre-Application Conference			
PUD Concept Plan	\$850 + \$40/Unit + \$5,000 Deposit		
PUD Preliminary Development Plan	\$2500 + \$40/Unit + \$5,000 Deposit		
PUD Final Development Plan	\$1500 + \$40/Unit + \$5,000 Deposit		
Minor PUD Concept/Preliminary Development Plan	\$1000 + \$40/Unit + \$5,000 Deposit		
Changes to Approved PUD Plans-			
(Minor) Approved by Planning Director	\$350 + \$1,000 Deposit		
(Minor) Approved by Planning Commission	\$500 + \$25/Additional Units + \$1,000 Deposit		
(Major) Approved by Town Council	\$1000 + \$25/Additional Units + \$5,000 Deposit		
Subdivision Application			
Administrative Replat	\$500 + Cost		
Correction Plat	\$350 + Cost		
Preliminary Subdivision Plat	\$1500 + 25/Lot + \$5,000 Deposit		
Final Subdivision Plat	\$1000 + 25/Lot + \$3,000 Deposit		
Minor Subdivision			
Amended Final Plat	\$650 + Cost		
Minor Type A Subdivision	\$850 + Cost		
Minor Type B Subdivision	\$850 + Cost		
Miscellaneous			
Annexation	\$5,000 + \$10,000 Deposit		
Disconnect/De-Annexation	\$3,000 plus associated costs		
Amendments To Text of Land Use Regulations	\$1,750 + Cost		
Amendments To Official Zone District Map	\$1,000 + Cost		
Conditional Use Permit Application	\$800 + Cost		
Limited Use Review	\$450 + Cost		\$150 + Cost
Temporary Use Permit	\$425 + Cost		
Temporary Use Permit Security Deposit	TBD on Per Case Basis		
Variance	\$575 + Cost		
Vacation of Public Easements and ROW	\$750 + Cost		
Sign Permit	\$60 + 1.50/Sq. Ft.		
Design Review Board			
Major Design Review Application	\$200		
Minor Design Review Application	\$75		
Special Planning Commission meeting	\$500 + Cost		
Appeal - Planning Commission or Town Council	\$300 + Cost		
Professional Review - Single structure project < 1 acre			
Multiple structure projects or projects 1 to 3 acre			
Buidling Permits new construction - based on valuation:**			
\$1.00 to \$500.00			
\$501.00 to \$2,000.00		\$3.87 for each additional \$100 valuation over \$500.00	
\$2,001.00 to \$25,000		\$17.78 for each additional \$1,000 valuation over \$2,000	
\$25,001.00 to \$50,000		\$12.83 for each additional \$1,000 valuation over \$25,000	
\$50,001.00 to \$100,000.00		\$8.89 for each additional \$1,000 valuation over \$50,000	
\$100,001.00 to \$500,000.00		\$7.11 for each additional \$1,000 valuation over \$100,000	
\$500,001.00 to \$1,000,000.00		\$6.03 for each additional \$1,000 valuation over \$500,000	
\$1,000,001.00 and up		\$4.64 for each additional \$1,000 valuation over \$1,000,000	
Construction without a permit		Purchase of Building Permit plus Fine of 75-100% value of permit to be determined by Town	
Single item permits ex: re-roofing, basement finish, mechanical, plumbing		\$75 for each additional inspection - to be determined by building official	
Plan Review		65% of permit fee	
Cleanup Deposit			
Street Use Fee		1/2% of the project valuation that is valued at \$500 or greater	
<p>Application Review Deposit: Deposits are required to cover staff and consultant time attributable to a particular land use application review, meeting attendance, and phone consultations over and above the minimum application fee required for the application. Applicant will bear the burden of all staff & consultant costs above and beyond the first staff member. For multi-step applications (e.g. PUD Concept, PUD Preliminary Plan, PUD Final Plan) any unused deposit amounts from one application may be applied toward the next application. Minimum deposit balances for each land use application type must be maintained or replenished upon notice by the Town.</p> <p>Costs: Costs attributable to the review by consultant, and additional staff time, are billed at actual hourly rates. Cost assessed after first hour.</p> <p>Tempoary Use Permit Security Deposit: Security deposit amounts for the cleanup or restoration following the termination of an approved temporary use are determined by the Planning Director on a case by case basis dependent on the intensity, scope, timing, and location of the use; and, upon the intensity, scope, timing, and location of the anticipated mitigation needed to return the unit, site, or area to its pre-permit condition.</p>			

** Valuation is based upon the national average per/square foot construction cost published semi-annually by the International Code Council, with a 1.4 multiplier applied as a regional cost differential.

Other:

*For all applications requiring legal descriptions to be published in the newspaper, additional fees will be charged on a per cost basis, for publications that are in excess of \$50

*Review fees charged by a state or federal agency shall be made payable to the reviewing agency based on current rates and paid at the time of application.

*No application shall be considered or reviewed until the application fees are paid in full and the application is deemed complete. Where multiple applications are required, multiple fees shall be assessed. Fees are not required for Town-initiated applications.

*Application fees shall be paid by cash or by a check made payable to the Town of Minturn, and shall be submitted with the application to the Town of Minturn Planning Department.

*Additional Town Staff services may be billed at an hourly rate as deemed necessary.