



To: Mayor and Council
From: Jay Brunvand
Date: November 15, 2023
Agenda Item: Ordinance 22 – Series 2023

REQUEST:

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

INTRODUCTION:

This is an annual Ordinance setting forth and approving the various fees proposed for Fiscal Year 2024 on First 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.

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 Amount if Revised
General Government				
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		\$200/half day \$300/day
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		\$0.00
Home Business License-Renewal	(Major household income)	\$120.00		\$0.00
Mobile Food Vendor License		\$120.00		\$75.00
Outdoor Recreation License		\$120.00		\$75.00
Short Term Rental License		\$300.00		\$300 PER Sleep Area
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		Regular Bus Lic
30-Days consecutively		\$240.00		Regular Bus Lic
Annual License	(Due 4/1)	\$240.00		
Contractor:				
Annual License Fee - General	Valid for 3yrs	\$240.00		\$100/yr
Business List Print Fee		\$40.00		

ITEM	DESCRIPTION	FEE 2023	OTHER	2024 Amount if Revised
MISCELLANEOUS FEES		Set administratively to cover the cost of services.		
Professional Use Fee	Inc use of town Eng, Lawyer, etc	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		
SNOW DUMP-END DUMP		\$90.00		
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 ERFPD 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 purposes	per month flat fee plus use	\$100.00		
Portable meter fee		\$100.00		
Portable meter water use	\$5.00/1000 gal	\$10.00/1000 gal		
Portable meter deposit or lost meter cost		\$1,750.00		

ITEM	DESCRIPTION	FEE 2023	OTHER	2024 Amount if Revised
Unusual Water User Fee	Sec. 13.66	set Administratively		
Unmetered Water Rate	Sec. 13-4			Base x3
Monthly rate per SFE for Residential		\$137.70	Base + 25%	\$330.48
Policy related to other uses Commercial		\$137.70	Base + 25%	\$330.48
Replaces Sec. 13-29(b)(2) 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	\$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