

## CHAPTER 12 - FEES AND COST RECOVERY

### SECTION:

- 12.01: Purpose
- 12.02: Schedule of Fees
- 12.03: Base Zoning Fee
- 12.04: Cost Recovery

#### **12.01: PURPOSE.**

The costs to the City for receiving, analyzing, processing, hearing and final process for requests of changes, modification, or special consideration under this Ordinance, such as requests for rezoning (map or text), comprehensive plan amendments, conditional use permits, variances and site & building plan reviews are considered to be unique to the applicant requesting such consideration, and it is the intent of this Chapter to provide that all costs of the City incurred by such requests shall be borne by the applicant. The reimbursement to the City, in addition to the base fee, shall be limited to actual costs of the City. Actual costs shall include all engineering, legal, planning, or other consultant fees or costs paid by the City for other consultants for expert review of a development application.

#### **12.02: SCHEDULE OF FEES.**

The City Council shall establish a schedule of fees, charges and expenses, and a collection procedure for building permits, appeals, and other matters pertaining to this Section. The schedule of fees shall be posted in City Hall and may be altered from time to time by Ordinance adoption by the City Council.

#### **12.03: BASE ZONING FEE.**

Each applicant shall pay a non-refundable base zoning fee at the time an application is presented to the City for a zoning request. This fee is intended to reimburse the City for its reasonable costs for administrative processing of a development application. If this fee proves to be insufficient to cover such costs, such additional costs will be charged to the applicant.

#### **12.04: COST RECOVERY.**

In the event additional review by the City or its assigns is anticipated and/or needed during zoning application review and the City incurs professional fees, either legal, engineering or professional planners, or any other cost, including but not limited to, postage and publication expenses, or other similar circumstance, the applicants shall reimburse the City for those fees, and the City officials may require an escrow deposit, cashier's check or letter of credit for these fees prior to the final action on the application for development plan review. Such escrow or letter of credit shall be in the form approved by the City Attorney. The City shall have the authority to use the provisions of Minnesota Statutes Chapter 429, as amended, supplemented, or replaced from time to time, to assess costs against any property in violation of any of the provisions of this Section, and any such assessment shall, at the time at which taxes are certified to the County Auditor, be certified for collection in the manner that other special assessments are so certified.