

CITY OF STEAMBOAT SPRINGS, COLORADO

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE CREATION AND COLLECTION OF A BUILDING PERMIT FEE TO BE PAID AT THE TIME OF ISSUING A BUILDING PERMIT TO OFFSET THE COSTS TO THE COMMUNITY CREATED BY NEW CONSTRUCTION; ADOPTING THE BUILDING PERMIT FEE FOR THE CITY OF STEAMBOAT SPRINGS, COLORADO, FOR AND DURING THE PERIOD BEGINNING THE FIRST DAY OF JANUARY, 2009, AND ENDING THE THIRTY-FIRST DAY OF DECEMBER, 2009.

WHEREAS, the City Council of the City of Steamboat Springs believes that New Construction, including renovations and expansion of existing structures, should be charged for the impact that such construction creates on the City's existing services that the City provides; and

WHEREAS, the City Council believes that charging the following for building permits: one dollar (\$1.00) per one-thousand dollars (\$1,000) in estimated construction valuation of the New Construction, as the value that is established by the Building Department for commercial building permits; one thousand one hundred dollars (\$1,100) per single family residence permit; one thousand six hundred twenty -five dollars (\$1,625) per duplex (which is two units) permit; three hundred twenty-five dollars (\$325) per tenant finishes permit; four hundred fifty-five dollars (\$455) for single family resident additions permits with a valuation between \$1,000X to \$26,000; seven hundred eighty dollars (\$780) for single family resident additions permits with a valuation between \$26,100 to \$75,000; one thousand one hundred dollars (\$1,100) for single family resident additions permits with a valuation above \$75,100; one hundred ninety five dollars (\$195) per deck permit; one hundred ninety five dollars (\$195) per interior alterations permit; seven hundred fifteen dollars (\$715) per secondary/employee units permit; seven thousand one hundred fifty dollars (\$7,150) per overlot grade/fill permit with major public facilities; three thousand five hundred seventy-five (\$3,575) per overlot grade/fill permit with minor public facilities; and, one thousand seven hundred and fifty (\$1,750) per overlot grade/fill permit with no public facilities is rationally related to the City's legitimate governmental purpose of ensuring that the level and quality of the City's services are maintained and not diminished as New Construction occurs; and

WHEREAS, the City Council believes that this Building Permit Fee can help defray the costs of services provided by various departments throughout the City in evaluating these permits; and

WHEREAS, the City Council believes that the proposed Building Permit

Fee is a fair and equitable way of providing a service while at the same time recouping the cost of this service due to the impacts of New Construction.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO:

Section 1. The City Council finds that this ordinance is necessary for the health, safety, and welfare, peace, safety and prosperity of the community.

Section 2. Section 5-25 of the Steamboat Springs Revised Municipal Code shall be amended by the addition of a new Table 3-J, which shall read as follows:

"TABLE 3-J

A	Commercial, Multi-family and Mixed Use Building Permits	\$1.00 per \$1,000 valuation estimated construction of the New Construction, as the value that is established by the Building Department for commercial building
B	Single Family Residence Permit	\$1,100 per permit
C	Duplex Permit	\$1,625 per duplex (which is two units) per permit
D	Tenant Finish Permit	\$325 per permit
E	Single Family Resident Addition Permits	
	\$1,000 to \$26,000 in valuation	\$455 per permit
	\$26,100 to \$75,000 in valuation	\$780 per permit
	Above \$75,100 in valuation	\$1,100 per permit
F	Deck Permit	\$195 per permit
G	Interior Alterations Permit	\$195 per permit
H	Secondary/Employee Units	\$715 per permit
I	Overlot Grade/Fill Permit	
	With Major Public Facilities	\$7,150 per permit
J	With Minor Public Facilities	\$3,575 per permit
K	With No Public Facilities	\$1,750 per permit

1. Definitions:

- (a) Building Permit: A Building Permit issued by the Routt County Regional Building Department ("Building Department") permitting the construction of a building or structure within the City of Steamboat Springs.
- (b) City: The City of Steamboat Springs, Colorado.
- (c) City Council: The City Council of Steamboat Springs, Colorado.
- (d) Dwelling Unit: A residential use in one (1) or more rooms with a single kitchen and at least one (1) bathroom, designed and occupied or intended for occupancy as separate quarters, for the exclusive use of a single family for living, sleeping, kitchen, and sanitary purposes.
- (e) Building Permit Fee Payer: A person commencing New Construction who is obligated to pay the Building Permit Fee in accordance with the terms of this ordinance, or who would be obligated to pay the Building Permit Fee except for an exemption provided for in this ordinance.
- (f) New Construction: New Construction shall mean any activity that requires the issuance of a Building Permit, including, without limitation, the construction of residential, multi-family, commercial, industrial, and any other construction activity. New Construction shall include, without limitation, renovations or expansions, or both, to existing structures.
- (g) Qualifying Unit: Every newly constructed single-family, duplex, or multi-family unit with a value, as calculated for purposes of issuing a building permit, of \$350,000 or less.

Capitalized terms used in this ordinance, not defined in this section, shall have the meaning defined in other sections of the Steamboat Springs Municipal Code.

- 2. Building Permit Fee: As a condition precedent to the issuance of a building permit for any New Construction, the person seeking the issuance of the Building Permit, the Building Permit Fee Payer, shall pay an Building Permit Fee to the City equal those permits listed in Table 3-J. These fees are rationally related to the City's legitimate governmental purpose of ensuring that the level and quality of the City's services are maintained and not diminished as new Construction occurs. This fee shall be in addition to the Building Permit and Plan Review Fees and paid to the Regional Building Department.
- 3. Dedication of Funds: The revenues generated from the Building Permit Fee shall be deposited in the General Fund and used to recapture the cost of the services provided by the various departments for reviewing building permits."

4. Exemptions: The following is exempt from the payment of the Building Permit Fee established in this ordinance:

(a) New Construction of a Dwelling Unit in which the Building Permit Fee Payer will reside in the Dwelling Unit, if the Building Permit Payer meets all of the following requirements:

- i. If the Dwelling Unit is also a Qualifying Unit.
- ii. The Dwelling Unit will be the sole residence of the Building Permit Fee Payer or person(s) purchasing from the Building Permit Fee Payer; and
- iii. The Building Permit Fee Payer, or person(s) purchasing from the Building Permit Fee Payer, must be employed or self-employed in Routt County. Where the Building Permit Fee Payer is unable to verify to the satisfaction of the City, at the time of issuance of the building permit, that the purchaser of the Dwelling Unit qualifies for an exemption under the provisions of this section, the Building Permit Fee Payer shall pay the Building Permit Fee but may apply for and receive a rebate of the exemption amount at the time of sale of the Dwelling Unit to a person(s) qualifying for an exemption under this section."

(b) New Construction of an income restricted Dwelling Unit.

(c) The City Council shall have the authority, in its sole discretion, to adopt regulations requiring the recapture of exempted and unpaid building permit fee if, within three years of the issuance of a building permit for a Qualifying Unit, the Qualifying Unit is sold (a) to a person for whom the Qualifying Unit is not the "sole residence", or (b) to a person who is not employed or self-employed in Routt County.

Section 3. All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

Section 4. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

Section 5. The City Council hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public peace, health and safety.

Section 6. This Ordinance shall take effect immediately upon the expiration of five (5) days from and after its publication following final passage, as provided in Section 7.6(h) of the Steamboat Springs Home Rule Charter.

INTRODUCED, READ AND ORDERED PUBLISHED, as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the _____ day of _____, 2008.

**Paul Antonucci, President
Steamboat Springs City Council**

ATTEST:

**Julie Franklin, CMC
Interim City Clerk**

FINALLY READ, PASSED AND APPROVED this _____ day of _____, 2008.

**Paul Antonucci, President
Steamboat Springs City Council**

ATTEST:

**Julie Franklin, CMC
Interim City Clerk**