



AGREEMENT FOR PAYMENT OF LAND USE APPLICATION FEES/DEPOSITS

This Agreement is entered into between _____
as APPLICANT and THE TOWN OF MILLIKEN, in consideration of the TOWN'S acceptance of APPLICANT'S
application for the land use approval as further described below:

1. APPLICANT hereby represents that he/she/it is the owner of 100% of the real property for which this application is being processed or that 100% of the property owners have also signed this application. APPLICANT has submitted to the TOWN an application for approval of:

2. APPLICANT acknowledges and understands that the Board of Trustees per applicable ordinance (enclosed) establishes a fee and deposit schedule for Land Use applications. The ordinance and this Agreement shall govern the payment of fees and deposits for processing applications.
3. The application shall not be accepted for processing unless the property owner(s) of record of the property included in the application sign(s) this Agreement.
4. A fee in the amount required by the Town sufficient to cover the internal and external costs of administration, processing, site visits, publication of notice and similar matters will be paid by the APPLICANT for processing the development application. A fee payment of \$_____, as required by ordinance shall be paid to the Town prior to processing the application.
5. The applicant shall be required to pay all actual costs incurred by the Town for review of the application by consultants, including but not limited to engineering, surveying, legal and planning plus fifteen percent (15%) of such actual costs for the Town's administrative costs plus supplies. The Town may require a deposit from APPLICANT to offset the Town's costs for review prior to consideration of any application submittal pursuant to this Code. Subsequent deposits may be required when the initial deposits are eighty-five percent (85%) depleted. These deposits may exceed the total amount of fees collected using the standard schedule of fees. The Town shall not continue the processing of any application for which the APPLICANT has refused to deposit the funds to cover the Town's cost of review. Any funds deposited in excess of the standard fees remaining after paying the costs specified above shall be refunded to the APPLICANT. In the event of non-payment of fees, the Town shall have the right to file a legal action to collect any balance due to the Town plus its costs and attorney's fees against any or all persons signing this Agreement as APPLICANT. The Town may certify to the County Treasurer any amount due pursuant to this paragraph as a lien on the property for which the application is submitted to be due and payable with the real estate taxes for the Town if the APPLICANT does not pay such amount within (30) days of written request by the Town. .

APPLICANT(S)/OWNER(S)-

(All Owners/Applicants must sign this application)

By _____

By _____

As: _____

As: _____

Date: _____

Date: _____

Address: _____

Address _____

TOWN OF MILLIKEN

By _____

Date _____

Copies to:

Town Planner _____
Finance Dept _____
Town Clerk _____
(Original)

Attachments:

Land Use Form _____
Development Fee Schedule _____
Fee Ordinance _____

Development Fees

The Development fee structure has two parts.

- The first part is a 'non-refundable fee' to cover Town expenses, such as publication costs, recording fees, staff time for personnel who are not heavily involved in the project, and do not keep a detailed task and client code time sheet.
- The second part of the fee structure is a 'refundable deposit', based on an estimate for the type of project, to cover charges by the Town's consultants or staff including: Planners, Landscape Architects, Engineers, Surveyors, and Attorneys. Once 85% of the deposit has been expended, the applicant will be notified of an estimated additional deposit required.

Chapter 16 - Land Use Code

Fee Description	Fee	Deposit
Chapter 16 - Article 13 – Annexation		
Annexation	\$1,500	\$5,500
De-annexation	\$750	\$2,000
Comprehensive Plan Amendment	\$500	\$500
Chapter 16 - Article 3 – Zoning		
Zoning Amendment	\$500	\$1,500
Use by Special Review	\$500	\$2,000
Use by Special Review – Gravel	\$500	\$5,500
Variances and Appeals	\$500	\$1,500
Sketch PUD Development Plan	\$500	\$1,500
Preliminary PUD Development Plan	\$500	\$1,500
Final PUD Development Plan	\$500	\$2,000
2 nd Driveway Application	\$100	\$300
Chapter 16 - Article 4 – Subdivisions		
Sketch Plan	\$500	\$1,500 + \$5/lot
Preliminary Plat	\$1,000	\$3,000 + \$20/lot
Final Plat	\$1,250	\$6,000 + \$20/lot
Minor Subdivision	\$1,000	\$3,500
Plot Plan	\$100	\$400
Site Plan	\$500	\$2,000
Vacation of Right-of-Way or Easement	\$500	\$1,000
Chapter 16 - Article 7 – Signs		
Sign Permit (typical)	\$100	\$50
Sign Permit (Monument)	\$100	\$200
Chapter 16 - Article 8 – Floodplain Areas		
Floodplain Development Permit	\$100	\$500
Chapter 16 - Article 9 – Oil and Gas Drilling		
Use by Special Review – Oil and Gas	\$1,250	\$2,000
Oil and Gas Well Inspection Fee	\$400	---

ORDINANCE NO. 571

AN AMENDMENT TO THE TOWN OF MILLIKEN MUNICIPAL CODE: REPEALING VARIOUS FEES IN ORDINANCES AND UPDATING REVENUES RELATED TO WATER, SEWER, DEVELOPMENT, IMPACT, UTILITY, and MISCELLANEOUS SERVICES PROVIDED BY THE TOWN OF MILLIKEN, WELD COUNTY, COLORADO.

Section 1:

Whereas the Town of Milliken Code of Ordinances establishes rates for a wide variety of services, and

Whereas the said rates are located in many and varied documents and have been found to be in need of updating and revision based on a recent evaluation, and

Whereas it is the desire of the Town that revenue generated from the provision of all services should adequately cover the staffing, operation and maintenance, overhead, infrastructure replacement, and future infrastructure improvements provided by the Town of Milliken, and

Whereas the Town Board of Trustees of the Town of Milliken desires to amend and consolidate the rate structure,

NOW THEREFORE

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, WELD COUNTY, COLORADO:

Section 2:

The rates and fees in the following code sections and ordinances shall be repealed and the attached fee schedule shall be adopted:

Code Section

2-4-190

6-2-40

6-2-220

6-2-230

6-2-320

6-3-30

6-3-240

7-2-90

7-2-100

10-10-20

11-2-10

13-2-50

13-2-55

13-2-60A

13-2-60B

13-2-60-C

13-2-110

13-2-160

13-2-180

13-2-190A
13-2-190B
13-2-200
13-2-210A
13-2-210B
13-2-220A
13-2-220B
13-2-230
13-2-235
13-2-250
13-2-330
13-2-360
13-2-370
13-2-390A
13-2-390B
13-2-390C
13-2-525
13-2-530
13-2-540
13-2-560
18-1-10
18-1-20

Ordinances

467
481
449
479

Section 3: Review Schedule Established

Each year, in conjunction with the Town's Budget Development Process, or as needed throughout each fiscal year, the Town Staff shall conduct a study of the Town's current fees and recommend to the Town Board any necessary changes to the fee schedule. The Town Board shall review these recommendations no later than the first meeting in December of each year and adopt the recommendations at their discretion.

Section 4: Severability.

If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance.

Section 5: Effective Date – Emergency Clause

The Board of Trustees of the Town of Milliken hereby determines that an emergency exists which jeopardizes the provision of municipal services at a level which will maintain the health, safety and welfare of the Town justifying the adoption of this Ordinance to take effect immediately upon passage this 12th day, of December 2007.

TOWN OF MILLIKEN:

ATTEST:

Linda L. Measner, Mayor

Kari Redman-Gutierrez, Town Clerk

Published: December 20, 2007