

ORDINANCE NO. 1040

AN ORDINANCE AMENDING SECTION 30-10-104 OF THE DEVELOPMENT CODE OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO:

Section 1. The following section of the Town of Berthoud Development Code shall be repealed and re-enacted as follows:

**30-10-104 PAYMENT OF IMPACT FEES**

A. The following impact fees shall be paid at the time of building permit issuance.

- 1) Water System Investment Fee
- 2) Wastewater System Investment Fee
- 3) School District PILO Fee
- 4) Raw Water System Investment Fee

B.

1) All other impact fees are due and payable within six (6) months of issuance of the building permit or at the time of issuance of the Certificate of Occupancy, whichever occurs first. To the extent that any impact fee is not paid at the time a building permit is issued, the permit holder will be required to pay the full amount of the impact fee which is in effect at the time the fee is paid. If the payment is not made prior to the effective date of any increased fee, the applicant is required to pay the fee in effect at the time payment of the balance of the deferred fees are paid.

2) In the event the recipient of the building permit fails to pay the required fees as specified above, the Town shall have the following remedies which may be enforced separately or cumulatively:

- a. Interest on the unpaid balance shall commence retroactively from the date the building permit was initially issued at 1.5% per month (18% per annum).
- b. The Town shall be entitled to collect, in addition to the interest at 18%, its costs, legal fees, administrative expenses and all other costs of collection.
- c. The Town may elect not to issue any further building permits and/or deny the defaulting party the opportunity to defer fees if the Town does elect to issue building permits to them.

Section 2. Effective Date

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force thirty (30) days after publication.

At its meeting November 14, 2006, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on November 28, 2006. After the public hearing, this Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 28<sup>th</sup> day of November, 2006.

TOWN OF BERTHOUD:

Milan Karspeck  
Milan Karspeck - Mayor

ATTEST:

Mary K. Cowdin  
Mary K. Cowdin - Town Clerk

Published: 12-7-06