

**Town of Basalt
Ordinance No. 27
Series of 2020**

**ORDINANCE OF THE TOWN COUNCIL OF BASALT, COLORADO, AMENDING THE
TOWN'S SCHEDULE OF FINES, PENALTIES, AND ADMINISTRATIVE FEES
REGARDING THE ENERGY CODE AND SBR REVIEW FEE**

RECITALS

A. The Town of Basalt ("Town"), acting by and through its Town Council ("Town Council"), has the power to amend the Municipal Code of the Town of Basalt ("Town Code") pursuant to the Home Rule Charter for the Town of Basalt and Section 1-58, Town Code, and all such amendments shall become a part of the Town Code.

B. The Town adopted the 2015 International Building Codes and Sustainable Building Regulations for construction within the Town of Basalt. Chapter 18 of the Town Code includes an energy code review fee to cover the Town's expenses, which the Town wishes to amend to a more equitable rate.

C. The Finance Director, Building Official and Town Planner submitted to the Town Manager recommended amendments to the fee schedule for fees associated with the Building Department based on their research and analysis under the criteria of Section 2-381 of the Town Code.

D. The Town Manager has reviewed the recommendations of the Directors. The Town Manager and the Directors recommend amending at Chapter 18 of the Town Code and the schedule of fines, penalties and administrative fees as attached hereto based on their research and analysis.

E. The Town Council determines and concludes that in the reasonable judgment of the Council, the fees, fines and penalties hereby established are at levels no greater than reasonably necessary to defray the costs hereby determined by the Town Council to be related to the service provided based on the testimony of the Town Manager and Directors.

F. The Town Council further concludes that it is in the best interests of the citizens of the Town of Basalt for the Town to adopt the fines, penalties and administrative fees as provided herein for the purpose of providing services to the citizens of the Town and preserving and protecting the health, safety, welfare and quality of life for the citizens of the Town of Basalt.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Basalt, Colorado as follows:

1. Recitals. The foregoing recitals are incorporated herein as findings of Town Council.
2. Fee Schedule.

The schedules of fines, penalties and administrative fees attached hereto as **Exhibit A** for the Energy Code and SBR Review Fee portion of the Building Department Fee Schedule is hereby adopted pursuant to Section 2-381, Town Code, with additions shown in underlined text and ~~strike-through~~ language deleted.

3. Severability.

If any section, part, subpart, sentence, 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 hereby declares it would have passed this Ordinance and each section, part, subpart, sentence, clause or phrase thereof regardless of the fact that any one or more sections, parts, subparts, sentences, clauses or phrases be declared invalid.

4. Effective Date. This Ordinance shall be effective fourteen (14) days after final publication.


READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON December 8, 2020 by a vote of 7 to 0 on November 24, 2020.

READ AND ADOPTED by a vote of 7 to 0 on December 8, 2020.

TOWN OF BASALT

By: 
William G. Kane, Mayor

ATTEST:


Pamela Schilling, Town Clerk

First Publication: Thursday, December 3, 2020
Final Publication: Thursday, December 17, 2020
Effective date: Thursday, December 31, 2020



Exhibit A

Note – the Other Fees under the Building Department are proposed to remain unchanged.

Town of Basalt
Building Department

Energy Code and SBR Review Fee

Code Section	Building Permit Fee	Use of Fee and other Provisions
18-14 (c)	10 % of the Building Permit fee of permits <u>subject to energy code review or SBR Review</u> up to a maximum of \$2,000 <u>\$10,000</u> (base fee) unless special consultants are required. The actual cost of any special consultants plus a 15% administrative fee will be added to the base fee.	The fee will be used to offset the Town's cost for the review of compliance with the Town's energy code and sustainability regulations. The portion not used to pay Town consultants and special consultants will be included in the Town's general fund to cover administrative costs and may be used for projects designed to reduce greenhouse gas emissions and address other environmental impacts Certain developments are eligible for rebates of a portion of the building permit fee as described later in this fee schedule