

**RESOLUTION NO. 23-50**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, AMENDING THE CITY OF CASTLE PINES FEE SCHEDULE**

**WHEREAS**, pursuant to Section 10.3 of Article X of the City of Castle Pines Home Rule Charter, the City Council shall determine, by resolution, the amount of any new City-imposed fee or change in the amount of any existing City-imposed fee for any service rendered by the City (specifically excluding franchise fees), based on the direct and indirect costs of providing services; and

**WHEREAS**, it is the intent of the City of Castle Pines to charge appropriate fees and charges (Collectively, the “Fees”) that are consistent with the services provided and to cover the public cost of providing these various services so that the public is not subsidizing individual benefits derived therefrom; and,

**WHEREAS**, the State of Colorado passed Senate Bill 22-032 restricting local taxing jurisdictions from charging a fee for a general business license to a retailer that has a state standard retail license and either does not have a physical presence in the local taxing jurisdiction or has only incidental physical presence; and,

**WHEREAS**, the City charges a business license fee to retailers with a physical presence in the City; and,

**WHEREAS**, to provide equal application of Senate Bill 22-032 to all retailers doing business in the City, the City Council wishes to eliminate the business license fee requirement for all retailers commencing with the effective date of this Resolution; and,

**WHEREAS**, the City Council wishes to establish by this Resolution the amounts of certain other fees, rates, and charges, commencing with an effective date of January 1, 2024 commensurate with the costs of those services.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Castle Pines, Colorado, as follows:

**Section 1.** Pursuant to authorization in the Castle Pines Municipal Code, the Castle Pines City Council hereby establishes or changes specific fees, rates, and charges (collectively, "Fees") as follows and incorporates these Fees into the City's Fee Schedule.

<b>Finance</b>		
	Business License Fee (update)	\$0.00
<b>Public Works</b>		
	Stormwater Utility Late Payment Fee (new)	\$25.00
<b>Community Development – Review Services</b>		
	Annexation (new)	Actual Cost
	Additional Reviews (for each review beyond the standard 3 reviews)	25% of the Original Fee
	Planned Development Administrative Amendment (new)	\$1,815.00
	Traffic Impact Study (updates)	
	- Rezoning, Sketch Plan, Preliminary Plan, Minor Development	\$3,400.00
	- Site Improvement Plan	\$1,995.00

Traffic Impact Study Update (new)	\$2,660.00
Legal Reviews (new)	Actual Cost

**Section 2. Effective Date.** The Fees established by this Resolution shall be effective January 1, 2024, except that the elimination of the business license fee shall be effective immediately.

**Section 3.** The Fees set by this Resolution shall supersede and replace any Fees previously set or adopted by the City Council for the same purpose. However, the same shall not be deemed to release, extinguish, alter, modify, or change in whole or in part any liability which shall have been previously incurred, and any superseded or replaced Fee shall be treated and held as remaining in force for the purpose of sustaining any and all proper actions, suits, and proceedings thereon, as well as for the purpose of sustaining any judgment, decree, or order.

**Section 4.** If any portion of this Resolution is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions hereof.

**INTRODUCED, READ, AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES BY A VOTE OF 4 IN FAVOR, 1 AGAINST, AND 2 ABSENT THIS 24<sup>th</sup> DAY OF OCTOBER, 2023.**



ATTEST:

*Tobi Duffey*

Tobi Duffey, MMC, City Clerk

*Tracy Engerman*  
Tracy Engerman (Nov 16, 2023 11:03 EST)

Tracy Engerman, Mayor

APPROVED AS TO FORM:

*Linda C Michow*

Linda C. Michow, City Attorney