

COTTONWOOD HEIGHTS

ORDINANCE NO. 289

AN ORDINANCE AMENDING THE CONSOLIDATED FEE SCHEDULE CONCERNING “SMALL CELL” APPLICATIONS

WHEREAS, following the incorporation of the city of Cottonwood Heights (the “City”) on 14 January 2005, the City’s governing body (the “Council”) enacted a code of ordinances (the “Code”) to provide and codify the City’s local laws; and

WHEREAS, various ordinances in the Code provide for the payment of fees and other charges (“fees”) as specified in the Code; and

WHEREAS, following study and consultation with other sister cities in Salt Lake County, City staff (“Staff”) recommended that the Council adopt a consolidated fee schedule for the City in lieu of specifying the dollar amounts of fees in the Code, in order to, *inter alia*, allow the City’s fee schedule to be more closely monitored and more readily amended, as advisable; and

WHEREAS, consequently, effective 28 June 2011, the Council enacted its ordinance no. 176 adopting a consolidated fee schedule for the City (the “Schedule”); and

WHEREAS, on 23 January 2018, the Council met in regular meeting to consider, among other things, amending the Schedule concerning “small cell” applications to conform to recent adoption pursuant to Ordinance 280 of Code Chapter 19.83A concerning such applications, as recommended by Staff; and

WHEREAS, after careful consideration of the recommendations of Staff, and being otherwise fully advised in the premises, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to so amend the Schedule as proposed;

NOW, THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1. **Adoption of the Amended Schedule.** The Council hereby amends the Schedule as shown on the attached exhibit, which shows deletions to the current Schedule ~~struck through~~, and additions to the current Schedule underlined.

Section 2. **Action of Officers.** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this ordinance (this “Ordinance”), whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 3. **Severability.** It is hereby declared that all parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 4. **Repealer.** All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5. **Effective Date.** This Ordinance, assigned no. 289, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's Recorder, or such later date as may be required by Utah statute.

PASSED AND APPROVED this 23rd day of January 2018.

ATTEST:

COTTONWOOD HEIGHTS CITY COUNCIL

By: 
Paula Melgar, Recorder



By: 
Michael J. Peterson, Mayor

VOTING:

Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tali C. Bruce	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Christine Watson Mikell	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the Recorder's office this 23rd day of January 2018.

POSTED this 24 day of January 2018.



Consolidated Fee Schedule (23 January 2018)

1. ALARM SERVICES. (CH Code §5.22)

ALARM SERVICES	FEES
Alarm User Permit	No charge
FALSE ALARM	FEES/FINES
Responding to up to two false alarms within a 12-month period	No charge
Third false alarm within a 12-month period	\$50
Four or more false alarms within a 12-month period	\$100 each
Late fees	All fees and fines are due and payable within 30 days after notice. Thereafter, a penalty of 10% of the original fee or fine is assessed each 30 day period the fee or fine remains unpaid. After 90 days, the city's claim will be sent to collection for all amounts due, plus costs and attorney fees.

2. AMBULANCE SERVICE. Pursuant to UTAH CODE ANN. 26-8-4(18) and UTAH ADMINISTRATIVE RULES R426-1-8-2-4, the Utah Department of Health establishes and orders the maximum allowable base ambulance service rate for each fiscal year.

3. ANIMAL LICENSING AND PET SERVICE FEES. (CH Code Title 8)

PET LICENSE	FEES
Sterilized	\$5
Unsterilized	\$25
Unsterilized Pet for Senior Citizen (age 60 and older) one time fee	\$20
Sterilized Pet for Senior (age 60 and older) one time fee	\$15
Replacement tag	\$3
Late fee (in addition to regular fee)	\$25
PET PERMIT	FEES
Commercial Operations up to 30 animals	\$75
Commercial Operations over 30 animals	\$150
Cattery or Kennel Permit	\$25 <i>In addition, all pets must be individually licensed</i>
Pet Shops selling only tropical or freshwater fish	\$50
Stables	\$40
Animal Exhibitions for a single event	\$25

Animal Exhibitions for multiple events	\$250
Guard Dog permit (pet site)	\$25
Fancier's permit	\$25
Hobby permit	\$25
Exotic animal permit	\$5
Dangerous animal permit	\$25
Additional Domestic Fowl or Livestock Permit	\$25 <i>plus any fees charged to the applicant or to the city or the Salt Lake Valley Health Department</i>
Late fee (in addition to regular fee)	\$25
PET SERVICES	FEES
<i>Impound fees (per animal):</i>	
First impound	\$25
Second impound (within 24 months)	\$50
Third impound (within 24 months)	\$100
Subsequent impounds (within 24 months)	\$200
Board fee (per day)	\$8
Adoption fee (Includes microchip & adoption packet)	\$25
<i>Sterilization Deposits:</i>	
Dog impoundment	\$50
Cat impoundment	\$25
Rabies Deposit	\$25
Turnover or disposal fee	\$25
Transportation fee (per animal)	\$25
Stray animal from another jurisdiction	\$10
LIVESTOCK SERVICES	FEES
<i>Impound Fees (per animal):</i>	
Large livestock	\$60
Small livestock	\$30
<i>Board fees per day (per animal):</i>	
Large livestock	\$10
Small livestock	\$8

4. **BICYCLES** (CH Code §11.32.020)
 - a. License Fee (per bicycle).....\$1
5. **BOARD OF ADJUSTMENT**See "Community Development Fees"
6. **BONDS**

Business Licensing Bonds	See "Business Licensing"
Land Use Improvement Bonds	See "Community Development Fees"
Performance Bonds	See "Public Works Fees"

7. BUILDING FEES (CH Code Title 15)

BUILDING SERVICES	FEE
Building Permit Fee (Base Fee)	100% of IBC Schedule
Plan Review Fee	65% of base building permit fee
Plan Review Fee (Permit Revisions) Electrical, Mechanical and Plumbing Fees	65% of base building permit fee Each is 5% of base building permit fee if applied for together with the building permit. If applied for separately, then fee is as per IBC fee schedule.

***NOTE: In cases where this fee schedule cannot practically be applied, the fees shall be determined by the building official.**

8. BUSINESS LICENSE FEES (CH Code Title 5)

BUSINESS LICENSE FEE SCHEDULE

All business licensees in the city are subject to the following business license fee schedule. Each business licensee must pay the appropriate general administration fee plus any applicable disproportionate fees for special regulations/inspections and any applicable disproportionate fees based on disproportionate calls for service, all as specified below. This schedule is based on data and analysis provided by the "Analysis of Business License Fees" dated October 2006 prepared by Lewis Young Robertson & Burningham, Inc., which is incorporated herein by reference and which specifies, among other things, (a) the basic level of municipal services in the city; (b) what amounts are reasonably related to the costs of the municipal services provided by the city; (c) what constitutes disproportionate costs (whether due to special regulations/inspections, or due to disproportionate calls for service) and what amounts are reasonably necessary to recover such costs; and (d) what constitutes an enhanced level of municipal services in the city and what amounts are reasonably related to recover such costs.

GENERAL ADMINISTRATION FEES

All business licensees are subject to the following general administration fees, which are levied and imposed to cover the city's administrative costs associated with its business licensing activities.

TYPE OF LICENSE	BASE FEE
New Business Fee – Commercial	\$170 (\$120 + \$50 One-time First-year Fee)
Renewal Fee – Commercial	\$120
Minor Home Occupation (CH Code §5.54.020)	\$0
Home Occupation	\$100 + \$150 One-time Conditional Use Permit Fee
Temporary License Fee	\$80
Short Term Rental + Business License Fee	\$350 (CH Code §19.89.180)

**DISPROPORTIONATE FEES BASED ON SPECIAL REGULATIONS/INSPECTIONS
AND
DISPROPORTIONATE FEES BASED ON DISPROPORTIONATE CALLS FOR SERVICE**

The following business license fees are in addition to the general administration fees specified above, and are charged to recover the city's disproportionate cost of special regulations/inspections and 25% of the disproportionate cost of calls for service from police and fire departments that exceeds the basic level of such services provided in the city. Total business license fees are determined by adding the general administration fee, any applicable disproportionate fees, and any enhanced level of service fees applicable to a business; provided, however, that for the business classifications specified below, such total is restricted to 125% of the average total business license fees paid in 2006 by businesses of the same classification. The business classifications to which the 125% limit applies, and the dollar amount of the limit for each such business classification, is shown below.

BUSINESS LICENSES	Special Regulation/ Inspection	Disproportionate Calls for Service	125% Limit*
Apartments	\$25 per location		Does not apply
Alcohol	\$443 per location		Does not apply
Assisted Living/Nursing Home	\$150 per location	\$2.50 per bed	Does not apply
Big Box Retail	\$265 per location	\$8.75 per employee	Does not apply
Commercial Daycare/Preschool	\$555 per location	\$60 per location	\$297
Home Day Care/Preschool	\$555 per location		\$153
Convenience Store/Service Station	\$133 per location	\$477 per location	\$980
Financial Services	\$208 per location	\$224 per location	Does not apply
Retail Fireworks	\$38 per location		Does not apply
Food and Grocery Stores	\$265 per location	\$1,615 per location	\$2,417
Medical Services		\$50 per location	Does not apply
Pawn Brokers	\$340 per location	\$410 per location	Does not apply
Pharmacies	\$40 per location		Does not apply
Private Clubs	\$265 per location	\$1,197 per location	\$1,051
Repair and Maintenance (<i>automotive services</i>)		\$150 per location	\$176
Restaurants (without alcohol)	\$265 per location	\$195 per location	\$471
Restaurants (with alcohol)	\$265 per location	\$195 per location	\$1,015
Sexually Oriented Businesses		\$1,650 per location	Does not apply
Special Events	\$168 per event		Does not apply
Solicitors	\$25 per solicitor		Does not apply

* This 125% limit applies to the total aggregate fee which includes all administration fees, regulatory and inspection fees and disproportionate (call for services) fees. For example, a grocery store would have (a) an administrative fee of \$120, (b) an inspection fee of \$265, (c) if it sells alcohol, a regulatory fee of \$443, (d) if it sells fireworks, a regulatory fee of \$38, and (d) a fee to cover 25% of disproportionate calls for service of \$1,615, totaling \$2,480. The 125% limit would apply and that limit would be \$2,417.

BOND SCHEDULE	
Type of Bond	Amount of Bond
Auctioneers License	\$5,000
Auction House License	\$10,000
Employment Office	\$1,000
Fireworks (Temporary Stand)	\$350
House Movers	\$1,000
Private Detectives	\$1,000

9. COMMUNITY DEVELOPMENT FEES (CH Code chapter 3.16).

APPLICATION	FEE
Pre-application meeting w/ DRC	\$150 (applied to future application fee)
Permitted & Conditional Uses Requiring Site Plan Approval	\$1,100 base fee plus: PUD - \$100/per dwelling unit Multi-family residential - \$25/per dwelling unit Commercial - \$35/per 1,000 square feet gross floor area Office - \$35/per 1,000 square feet gross floor area Base fee covers two staff and engineering reviews. Applicant is responsible for actual review costs after first two reviews.
Conditional Uses Not Requiring Site Plan Approval	\$350 base fee (covers two staff and engineering reviews. Applicant is responsible for actual review costs after first two reviews.)
Sensitive Lands Overlay	As directed by 19.72.110.D
Architectural Review Committee – Design Review	\$550
Major Subdivision (<i>more than ten lots</i>)	\$2,000 base fee plus \$100 per lot, which covers two staff and engineering reviews. Applicant is responsible for actual review costs after first two reviews.
Minor Subdivision (ten or fewer lots)	\$1,000 base fee plus \$100 per lot, which covers two staff and engineering reviews. Applicant is responsible for actual review costs after first two reviews.
Condominium plat, subject to UCA 57-8-101 <i>et seq.</i>	\$250 plus the subdivision fee.
Lot Line Adjustment – (<i>No public hearing required</i>)	\$300
Vacating or Changing a Recorded Plat, Lot Consolidation	\$500 base fee plus \$100 per lot. Base fee covers two staff and engineering reviews. Applicant is responsible for actual review costs after the first two reviews.
Planned Development District (PDD)	\$5,000 plus \$95 per acre or portion thereof
General Plan Land Use Map Amendment	\$1,000 plus \$95 per acre or portion thereof
General Plan Text Amendment	\$1,000
APPLICATION	FEE
Zoning Map Amendment	\$1,000 plus \$95 per acre or portion thereof
Zoning Text Amendment	\$1,000

Non-Minor Home Occupation review fee	\$150 -- Up to six clients daily \$300 -- Up to 12 clients daily
Home Daycare – Preschool Application Fee	\$150 – Up to six students daily \$350 – Up to 12 students daily
Administrative Determination Fee	\$350
Temporary Site Plan	\$200
Wall Signs	\$150
OPEDS	\$150
Monument Signs	\$150
All Other Signs	\$150
Building permit review fee – Residential	\$75
Building Permit Review Fee – Commercial	\$150
Time Extension Application Fee	50% of base fee of previously approved application
Zoning Verification Letter	\$150
Wall height extension—conditional use fee	\$250
Public Right of Way “Small Cell” Wireless Facility	\$750 – first four facilities (single application) \$250 – each additional facility
Board of Adjustment	Fee
Appeals	\$600
Variance applications	\$900
Nonconforming building or use application	\$900
Noticing (<i>in addition to application fee</i>)	Fees
Conditional Use Permit	\$150
General Plan Amendment	\$250
Ordinance Amendment	\$150
Zone Change	\$250
Planning Fee Retention	Fee
Item is withdrawn prior to Planning Commission meeting	80%
Item is withdrawn prior to distribution of agenda	50%
Item is withdrawn within ten (10) days of application	10%
Land Use Improvement Bonds <i>(Cash, Letter of Credit or Escrow Only)</i>	Fee
Standard Bond Agreement	No charge
Negotiated Bond Agreement (nonstandard)	Actual cost of city attorney fees
Bond administration fee	\$100
Bond release inspection fee	\$100
Bond release re-inspection fee	\$100
Streets	Fee
Street vacation	\$300
Street dedication	Preliminary – \$500 Final – 6% of the improvement costs

10. **CONDITIONAL USE FEES**.....See “Community Development Fees”
11. **DECLARATION OF CANDIDACY FILING FEE**.....\$25

- 12. **DEMOLITION PERMIT**.....\$47.47
- 13. **EXCAVATION PERMIT**.....See “Public Works Fees”
- 14. **FIRE DEPARTMENT**As per Unified Fire Authority fee schedule
- 15. **GENERAL PLAN AMENDMENT**“See Community Development Fees”
- 16. **GRADING PERMIT**.....100% of IBC Schedule
- 17. **HAZARDOUS MATERIALS**..... See CH Code §9.65.040
- 17. **INTEREST ON DELINQUENT PAYMENTS DUE TO CITY**.....18% per annum
- 18. **ORDINANCE ENFORCEMENT VIOLATIONS (ZONING/ANIMAL CONTROL)**

CIVIL FINES FOR VIOLATION OF ZONING REGULATIONS	
Residential Zones	Fee
Conditional use without a permit, other violations	\$25 per day (after warning period)
Non-permitted use, violation of permit or approval	\$50 per day (after warning period)
Mixed Zones	Fee
Conditional use without a permit; other violations	\$50 per day (after warning period)
Non-permitted use, violation of permit or approval	\$50 per day (after warning period)
Commercial and Other Zones	Fee
Conditional use without a permit; other violations	\$100 per day (after warning period)
Non-permitted use, violation of permit or approval	\$200 per day (after warning period)

- 19. **PARK RESERVATIONS** – Per Cottonwood Heights Parks & Recreation.
- 20. **PARKING PERMITS** (CH Code §11.22.090)

PERMIT	FEE
Regular Fee For Two Permits	\$5
Guest Permit	\$5
Replacement Permit	\$5

21. POLICE DEPARTMENT

SERVICES	FEE
Fingerprinting	\$10 per card for CH residents & businesses
Police Incident Reports	\$10 each (no charge for victims)
DI-9 (traffic accident)	\$10 for all persons involved
Photographs	\$25 per CD up to 50 photos
Recordings (audio and/or video)	\$25 per DVD

Body Cam	\$25 per DVD plus \$25 per hour redaction, billable in quarter hour increments
Right to Access (criminal background check)	\$10 (CH residents only)
Letter of Good Conduct	No charge

22. PUBLIC WORKS FEES

FEE SCHEDULE FOR EXCAVATION	FEE
All Permittees- Paving Cuts Asphalt	\$.50 Per Square Ft. (\$250 Minimum Charge)
All Permittees- Paving Cuts Concrete	\$1.00 Per Square Ft. (\$100 Minimum Charge)
All Permittees- Paving Cuts Soil	\$.25 Per Square Ft. (\$125 Minimum Charge)
Road Closure	\$50 Per day per lane
Weekend Inspection Fee	\$200 minimum for first 2 hrs. /\$50 per hr. thereafter
Failure to notify inspector 24 hours prior to commencement of work	\$200 per incident and future permits will not be issued until fee is paid
Inspection Fee	\$100
Re-Inspection if needed	\$100
Right of Way Improvement for Resident	No Charges (Resident applies for permit)
Stop work order for no permit	200% of regular permit fees
EXCAVATION BOND AMOUNTS	CASH, LETTER OF CREDIT, OR ESCROW ONLY
0-100 Square Feet	\$1000
101-200 Square Feet	\$2000
201-300 Square Feet	\$3000
301-400 Square Feet	\$4000
401 Square Feet or more	Determined by Public Works
PENALTIES	FEE
Extension Fee	\$50
Stop Work Order For No Permit	200% of Regular Permit Fee
Other Stop Work Orders	\$100
Weekend Inspection Fee <i>(48 hour notice required)</i>	\$100 minimum for two hours - \$50 per hour thereafter
Failure to Notify Inspector 48 Hours Prior to Commencing Work	\$200 per incident. No additional permits until paid
Failure to Comply or Complete	\$200 per day plus city-directed expenses for traffic control, securing the excavation, repairs, etc.
Performance Bond (City code §3.20.060)	Cash, letter of credit or escrow agreement only
Inspection Fee (City code §3.20.070)	\$100
Re-inspection Fee (City code §3.20.080)	\$100
Right of Way Improvement Permit (Curb, Gutter, Sidewalk)	No Charge
Right of Way Closure (No Excavation)	\$50 per day per lane – residential collector \$200 per day per lane – all others

23. RECORDS

RECORD TYPE	FEE
Maps/GIS Digital Data	Based on Staff Time and Cost of Materials
General Plan (Printed)	\$50
General Plan (CD)	\$5
Zoning Ordinance	\$15
Maps (36" x 42" with aerial imagery)	\$25
Maps (36" x 42" color)	\$20
Maps (36" x 42" black and white)	\$15
Maps (24" x 36"with aerial imagery)	\$18
Maps (24" x 36" color)	\$13
Maps (24" x 36" black and white)	\$10
Maps (11" x 17" with aerial imagery)	\$5
Maps (11" x 17" color)	\$3
Maps (11" x 17" black and white)	\$1
RECORD REQUEST (GRAMA)	FEE
Reviewing a record	There is no charge to review a record to determine whether it is subject to disclosure unless the quantity of the requested records is extraordinary.
Inspecting a record	There is no charge for inspection of a record unless it must be produced from a proprietary and/or secured electronic database.
8 ½" x 11" black and white page of copy/image	\$.25 per page
8 ½" x 11" color copy or image	\$.40 per page
11" x 17" black and white page of copy/image	\$.25 per page
11" x 17" color copy or image	\$.40 per page
Faxing documents within U.S., including telephone charges	\$1.00 per page
If research or preparation of information is required (such as redaction) exceeding 15 minutes of time, an hourly charge is assessed to recoup the actual cost, not to exceed the salary of the lowest paid employee who, in the city's discretion, has the necessary skill, training and security clearance to perform the request. Staff time for photocopying, printing or duplicating, faxing and scanning is included in the fee for those items.	Staff hourly rate
Per CD or DVD, plus staff time to run copy and or scan the records to electronic format.	\$10.00
Oversized copy and or graphics	Actual cost of reproduction plus staff time to produce
Mailing costs; Supplies	\$2.00 for staff mail preparation time, plus actual mailing costs based on standard U.S. postage

	rates. Other media/supplies will be billed at actual cost.
Archived records retrieval, for retrieval of record(s) from a records retention center or other storage location removed from the place of business of the department or division which maintains the record(s).	\$25.00
Per each certification of a record.	\$2.00
Other services (e.g., fees for third party services).	Actual cost.
Police Department recordings (audio and/or video) or body cam recordings	See "Police Department."

24. RETURNED CHECKS

Returned Checks	\$20 per check or such greater amount as may be available under UCA §7-15-1.
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25. SIGNS.....See "Community Development Fees"

26. SITE PLAN REVIEW.....See "Community Development Fees"

27. SPECIAL EVENT PERMIT (CH Code §14.56.050).....\$100

28. STORM WATER FACILITIES IMPACT FEE

LAND USE	FEE
<i>Residential (Single Family)</i>	
Rural Density (Lot ½ acre or larger)	\$1,489.88 per dwelling unit
Low Density (Lot ¼ acre – under ½ acre)	\$1,053.19 per dwelling unit
Medium Density (Lot 1/8 acre–under ¼ acre)	\$642.19 per dwelling unit
<i>Residential (Multi-Family)</i>	
High Density (24 Units/Acre)	\$642.19 per acre of impervious surface (Prorated)
Mixed Use (8 Units/Acre)	\$642.19 per acre of impervious surface (Prorated)
<i>Commercial</i>	
Civic	\$642.19 per acre of impervious surface (prorated)
Commercial	\$642.19 per acre of impervious surface (prorated)
Neighborhood Commercial	\$642.19 per acre of impervious surface (prorated)
O-R-D	\$642.19 per acre of impervious surface (prorated)
Open Space	\$642.19 per acre of impervious surface (prorated)
Open Space – Reserved	\$642.19 per acre of impervious surface (prorated)
Religious	\$642.19 per acre of impervious surface (prorated)
Street ROW	\$642.19 per acre of impervious surface (prorated)
Utility	\$642.19 per acre of impervious surface (prorated)

28. STORM WATER POLLUTION PREVENTION PLAN (SWPPP).....\$1,500

29. SUBDIVISIONS.....See "Community Development Fees"

30. TRANSPORTATION FACILITIES IMPACT FEE

LAND USE	FEE
Residential (Single Family)	\$242.84 per dwelling unit
Residential (Multi-Family)	\$158.36 per dwelling unit
Office	\$572.50 per 1,000 square feet (prorated)*
Commercial	\$1,029.12 per 1,000 square feet (prorated)*
Big Box Retail	\$723.22 per 1,000 square feet (prorated)*
Institutional	334.94 per 1,000 square feet (prorated)*
* calculation shall be based on occupiable square footage	

31. ZONINGSee “Community Development Fees”