

**AN ORDINANCE OF THE CITY OF CRYSTAL LAKE PARK, MISSOURI
AMENDING AND ESTABLISHING LAND USE APPLICATION FEES AND
DEPOSITS.**

WHEREAS, Section 420.030 of the Municipal Code, originally adopted in 1968, established a fee of \$25.00 for any notices of appeal filed with the City’s Board of Adjustment; and

WHEREAS, the noted fee is obsolete and is woefully insufficient to pay for the costs incurred by the City to process such an appeal; and

WHEREAS, the Municipal Code does not establish any other fee or deposit for the City’s processing of other land use applications, including those for the Planning and Zoning Commission or the Architectural Review Board; and

WHEREAS, the Board of Alderpersons finds that such fees and deposits are necessary to recoup the costs of the services provided for the processing of such applications, including the administration of the application, publishing notice of the any public hearing, hiring a court reporter to record the hearing, and paying for city staff, including but not limited to the city clerk, the city planner, the city attorney, and any third-party consultants, to review such applications, attend necessary hearings or meetings, and prepare any necessary reports, findings of fact and conclusions of law, or ordinances related thereto, among other things; and

WHEREAS, the Board of Alderpersons finds and determines (i) that the fees and deposits established in this Ordinance may not be sufficient to recoup the City’s costs for the noted services, but it is reasonable and necessary to defray the costs while not being prohibitive for land use applicants, (ii) that such fees and deposits are paid by the applicant at the time of the land use application, at or near the time the noted services are to be rendered, and (iii) that the fees and deposits will not exceed the costs of the services to be rendered by the City; and

WHEREAS, the Board of Alderpersons accordingly desire to establish appropriate fees and deposits for land use applications as provided herein;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF
ALDERPERSONS OF THE CITY OF CRYSTAL LAKE PARK, MISSOURI, AS
FOLLOWS:**

Section 1. Subsection A of Section 420.030 of the Municipal Code of the City of Crystal Lake Park, entitled “Appeals to the Board of Adjustment,” is hereby amended by deleting the following words:

... “and by paying a filing fee of twenty-five dollars (\$25.00) to the Building Commissioner at the time the notice is filed, which the Building

2. The City may also charge and collect additional deposits when its reimbursable costs are expected to exceed the amounts so provided.
 3. Any deposits not used for reimbursable costs shall be returned to the applicant. Any deposits not sufficient for reimbursable costs shall be paid by the applicant. Any dispute as to the amount of reimbursable costs shall be decided by the Board of Alderpersons on the applicant's written appeal, which shall provide a detailed description of the dispute.
- C. Failure to remit fees or deposits shall be grounds for the following actions by the City, as may be appropriate: (i) refusal to review, process, or consider the application, (ii) denial or suspension of the application, (iii) denial or suspension of any building permit associated with the application, (iv) denial or suspension of the review, processing, or consideration of any other land use application submitted by the applicant, and/or (v) denial or suspension of any building permit associated with any other land use application submitted by the applicant.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed this 12th day of October, 2009.

Bonnie Taylor, Presiding Officer

Attest:

Cathryn Terrell, City Clerk

Approved this 12th day of October, 2009.

Bonnie Taylor, Mayor

Attest:

Cathryn Terrell, City Clerk

First Reading: 10/12/09
Second Reading: 10/12/09