TOWN of MAY
WASHINGTON COUNTY, MINNESOTA

Ordinance No. 2018-02

AN ORDINANCE UPDATING THE TOWN'S FEE SCHEDULE AS CONTAINED IN THE MAY TOWN CODE, CHAPTER 13 "FEES AND DEPOSITS"

Section 1. Findings

WHEREAS, the Town of May maintains a set of fees, escrow deposits and the like in Chapter 13 "FEES AND DEPOSITS" of its Town Code; and

WHEREAS, from time to time the May Town Board reviews those fees and deposits and makes updates when conditions indicate changes are needed; and

WHEREAS, the May Town Board, along with its consultants, has recently reviewed all fees and deposits contained in Chapter 13, and has agreed to a number of changes, as follows:

1. An increase in the Protection Escrow for Blacktop Roads
2. Change the "step" penalties for animal control incidents to be the actual fees charged for Animal Control and Animal Shelter
3. Increase the Removal Bond amount for Communication Towers
4. Modest increase in the escrow for variances
5. Increase the fee for Grading Permits issued by the Engineer
6. Significant increases in the escrows for subdivisions
7. Increase the escrow for Road Vacation applications
8. Institute a two level escrow for Lot Line Adjustments; basic / complex
9. Increase the hourly rate for Clerk and Treasurer time charged to escrows
10. Eliminate fees associated with road crew work
11. Institute a fee for "Not Sufficient Funds" or returned checks

WHEREAS, these changes and all fees and deposits are contained in a new Chapter 13 as attached hereto.
Section 2. Code Amendment

NOW THEREFORE THE MAY TOWN BOARD does hereby adopt Chapter 13 “FEES AND DEPOSITS” as attached, to replace existing Chapter 13 of the May Town Code, and directs its replacement to the published May Town Code as well the Town Code file on the Town’s website, and further directs its publication according to law.

Section 3. Effective Date

This ordinance shall be in full force and effect after its passage and publication according to law.

Section 4. Severability

If any part of this ordinance is held invalid by a court of competent jurisdiction, this shall not invalidate any other section, provision or part thereof.

BY ROLL CALL VOTE OF THE MAY TOWN BOARD: ADAMS \textcolor{red}{YES} \textcolor{red}{YES}; PAZLAR \textcolor{red}{YES} \textcolor{red}{YES}; VOEDISCH \textcolor{red}{YES} \textcolor{red}{YES}; THIS ORDINANCE IS HEREBY ADOPTED THIS 1\textsuperscript{ST} DAY OF NOVEMBER, 2018.

\textit{Attest: Town Clerk, Linda Tibbets} \textit{Board Chair, Bill Voedisch}
Chapter 13

FEES AND DEPOSITS

ARTICLE 1301: FEES AND DEPOSITS FOR APPLICATION

Section 1301.01: General Requirements

At the time of filing an application for rezoning, variance, special use permit, conditional use permit, utility permit, grading permit, farm site plan permit, drainage site plan approval, driveway permit, major subdivision, or minor subdivision builder escrow, the applicant shall pay to the Town an amount of money sufficient to cover the Town's administrative and other costs incurred in the processing of the application, and inspecting any work authorized by the Town for compliance with permit conditions or legal requirements.

Section 1301.02: Deposit

The Town may require the applicant to deposit at the time the application is filed an amount of money sufficient to pay the costs of public notices, materials and staff consultant time and research for preparation of materials necessary to the processing of each application in addition to the application fee. At the time of filing of the application, the applicant shall be furnished an estimate of the amount of money necessary for deposit; and the applicant shall deposit such amount with the Town Clerk. Additional deposits shall be paid whenever the Zoning Administrator or Town Clerk determines the costs will exceed those initially estimated. No action on the application shall be taken by the Town until all fees and deposits are paid as required.

Whenever unpaid expenses incurred by the Town become delinquent, the amount due shall be certified to the County Auditor for inclusion with the following year's tax statement.

In addition to all unpaid expenses incurred by the Town, the owner or user of the real estate making application shall be liable for interest upon all unpaid balances at the rate of twelve percent (12%) per annum.

Section 1301.03: Completion

Any amount of the deposit not expended or encumbered shall be refunded to the applicant within sixty (60) days after all bills associated with the application are paid by the Town. If any application is withdrawn or denied, any part of the deposit not expended or encumbered shall be refunded to the applicant within sixty (60) days after all bills associated with the application are paid by the Town.

Section 1301.04: Issuance

No permit shall be issued until all costs as provided herein have been paid.
Section 1301.05: Fee Schedule

Fees are established by the Town Board and appear below:

<table>
<thead>
<tr>
<th>CODE CITE</th>
<th>PURPOSE</th>
<th>FEES</th>
</tr>
</thead>
</table>
| 302.01 E  | Town Road Protection Escrow  
Gravel Roads  
Blacktop Roads | $ 500  
1,500 |
| 303.04    | Driveway Permit | 50 |
| 310.07 C  | Outdoor Wood Boiler (OWB) Permit | 40 |
| 311.09    | Certificate of Compliance | 75 |
| 304.01    | Moving a Structure CUP Application Fee  
Escrow (escrow subject to Town Engineer's review) | 100  
Minimum 2,000 |
| 401.05    | Mining IUP Application Fee | 100 |
| 401.18    | Escrow | 4,500 |
| 402.05 A  | Small Business IUP Application Fee | 100 |
| 402.05 B  | Escrow | 1,200 |
| 402.06 B  | Permits – Annual Renewal  
Small Business (other than kennels)  
Small Business Kennels  
Private Kennels  
Mining  
Non-Profit Organizations  
Cell Towers  
OWBs | 25  
500  
25  
500  
500  
150  
15 |
| 501.13    | Animal Control Warning  
Animal Impoundment and Redemption Fees  
Actual costs incurred for Animal Control and Shelter | 25 |
| 501.14    | Private Kennel Application Fee  
Escrow | 100  
100 |
| 502.03    | Wild Animals CUP Application Fee  
Escrow | 100  
2,000 |
| 503.03    | Burning Permits | 0 |
| 509       | 201 Sewer Hook-up (Administrative and 201 Fund  
Contribution Fee Only, does not cover cost of connection) | 2,600 |

Chapter 13 – Fees and Deposits  
Art. 1301: Fees and Deposits for Application
<table>
<thead>
<tr>
<th>CODE/CITE</th>
<th>PURPOSE</th>
<th>FEES</th>
</tr>
</thead>
<tbody>
<tr>
<td>602.05 A</td>
<td>Utilities – Option 1: Construction Escrow&lt;br&gt;To be replenished when it drops to $1,000.00&lt;br&gt;Utilities – Option 2: Perpetual Construction Bond&lt;br&gt;Utility will be billed; pay as you go</td>
<td>Cash $5,000 Bond $5,000</td>
</tr>
<tr>
<td>602.12 E</td>
<td>License Fee – Utilities&lt;br&gt;(Engineer's review taken out of escrow)</td>
<td>0</td>
</tr>
<tr>
<td>603.07 B</td>
<td>Removal Bond – Communication Tower</td>
<td>35,000</td>
</tr>
<tr>
<td>704.03 A</td>
<td>Variance Application Fee&lt;br&gt;Escrow</td>
<td>100  900</td>
</tr>
<tr>
<td>704.04 B</td>
<td>CUP/IUP Application Fee&lt;br&gt;Escrow – “Major” CUP/IUP (e.g. non-profit organizations, wild animals, utility substations)&lt;br&gt;Escrow – Cell Tower&lt;br&gt;Escrow – “Minor” CUP/IUP (e.g. small business, WECS, mobile home or other temporary residence, infirmed housing)&lt;br&gt;Escrow – Private Kennel</td>
<td>100  2,000  8,000  1,200  100</td>
</tr>
<tr>
<td>705.13</td>
<td>Grading Permit&lt;br&gt;Minor (issued by Building Official)</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Major (issued by Engineer, add’l escrow may be needed)</td>
<td>500</td>
</tr>
<tr>
<td>901.04.14</td>
<td>Subdivision, Minor (4 or fewer lots)</td>
<td>50</td>
</tr>
<tr>
<td>901.04.16 and 901.06.01</td>
<td>Concept Review, Application Fee&lt;br&gt;Escrow&lt;br&gt;Preliminary Plat, Application Fee&lt;br&gt;Escrow&lt;br&gt;Final Plat, Application Fee&lt;br&gt;Escrow&lt;br&gt;Subdivision, Major (4 or more parcels)&lt;br&gt;Concept review, Application Fee&lt;br&gt;Escrow&lt;br&gt;Preliminary Plat, Application Fee&lt;br&gt;Escrow&lt;br&gt;Final Plat, Application Fee&lt;br&gt;Escrow&lt;br&gt;Site Construction Financial Guarantee – 125% of Town&lt;br&gt;Engineer’s estimate</td>
<td>750  100  1,500  50  1,500  100  12,000  50  6,000  100  1,500</td>
</tr>
</tbody>
</table>

Chapter 13 – Fees and Deposits
Art. 1301: Fees and Deposits for Application
**CODE CITE** | **PURPOSE** | **FEES**
---|---|---
Amendment to an existing CUP/IUP: Application Fee  
Escrow: One-half (1/2) the escrow of an initial application as stated herein | 100
Amendment to the Town’s Comprehensive Plan or Code  
Application Fee | 100
Escrow Comp Plan Amendment (map or text) | 1,000
Escrow Code Amendment (text) | 750
901.04.08 Lot Line Adjustment Escrow, Basic / Complex | $500 / 900
1004.01.B Sign Permit Fee | 35

**POLICY FEES**

CLERK and TREASURERS’ TIME that is charged back to escrows or for requests for information requiring in excess of one-half (1/2) hour (request form must be filed with the Town Clerk) | $40/hour

COPY OF TOWN CODE | 50/copy

COPY OF COMPREHENSIVE PLAN: Bound Version  
CD Version | 60/copy  
10/copy

“SUBSCRIPTION” TO TOWN BOARD AND PLANNING COMMISSION MINUTES (JANUARY – DECEMBER) | 40/year

COPIES OF PUBLIC DOCUMENTS | 0.25/page

ASSESSMENT SEARCHES | 15/parcel

PARK FEES when property is subdivided | 800/lot

NOT SUFFICIENT FUNDS OR RETURNED CHECK | 50