



Ordinance 636 Amended

An Ordinance amending the Code of the Town of Elsmere by requiring applicants to pay any additional cost incurred by the Town in the issuing of a permit or approving an application.

Sponsored By: Mayor Eric Thompson

First and Second Reading: February 08, 2018 Council Meeting

Results: Passed 4 In Favor, 3 Opposed

Third and Final Reading: March 08, 2018 Council Meeting

Results: Passed 5 In Favor, 1 Opposed with 1 Vacant

Ordinance 636

An Ordinance amending the Code of the Town of Elsmere by requiring applicants to pay any additional cost incurred by the Town in the issuing of a permit or approving an application.

WHEREAS, from time to time the Town is presented with an application for a permit or some other action which requires the Town to seek the assistance of professionals such as engineers or attorneys;

WHEREAS, the cost for permits or hearings do not anticipate or cover the costs of these additional fees incurred by the Town; and

WHEREAS, the Mayor and Council have determined that an applicant for a permit, or approval of a project should be held responsible for the costs charged to the Town for processing and reviewing their application.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF ELSMERE, AS FOLLOWS:

That the Code of the Town of Elsmere be amended to include the following.

Additional Fees for Applications, Permits and Hearings.

Whenever the Town of Elsmere finds it necessary and prudent to seek the assistance of professionals, such as but not limited to engineers, attorneys or any other professional and the Town is charged a fee by those professionals, it shall be the responsibility of the applicant to pay those additional fees incurred by the Town prior to the issuance of a permit, the scheduling of a hearing or the processing of any application.

The Town shall make every attempt to notify the applicant of the estimated additional costs which they may be responsible for, prior to incurring those costs. The standard permit fee shall still apply and these costs shall be in addition to any other fees that the Town currently charges.

Should the applicant feel that these additional fees are excessive or improper, they may appeal the assessment of any additional fee to the Mayor and Council. Should such an appeal be requested, it will be heard at the next regularly scheduled meeting of the Mayor and Council. The Mayor and Council may call a special meeting to consider an appeal should they deem it necessary.

First and Second Reading
February 08, 2018

Eric Thompson, Mayor

Third and Final Reading
March 08, 2018

Brian Hurst, Secretary

Approved as to form:

Town Solicitor

SYNOPSIS

This Ordinance amends the Code of the Town of Elsmere by requiring applicants to pay any additional cost incurred by the Town in the issuing of a permit or approval of an application.

Fiscal Impact

This Ordinance is expected to save the town between \$1,000.00 and \$3,000.00 in cost that it incurs annually.