

ORDINANCE NO. 681

**ORDINANCE ADOPTING A COMPREHENSIVE SCHEDULE
OF FEES AND CHARGES**

WHEREAS, the Municipal Code of the City of Box Elder provides that certain filing fees, permit fees, inspection fees, deposits, and conditions of service may from time to time be established by the City Council, and

WHEREAS, the City Council of the City of Box Elder has determined that the cost of providing certain services is not of general benefit but of benefit to the individual and, therefore, certain filing fees, permit fees, inspection fees and deposits should be required to pay for materials and special services performed by the City staff, and

WHEREAS, the City Council has found that since the fees represent a portion of the actual costs of the service or facilities provided, there is a reasonable relationship between the amount of the fee charged and the costs of the services provided to the person paying the fee, and

WHEREAS, the City Council may adjust fees for certain services from time to time and incorporate all adjusted and/or new fees for services provided into one comprehensive schedule, and

WHEREAS, after complying with public meeting and agenda posting requirements; the City Council adopted the various resolutions establishing fees at various meetings.

WHEREAS, this Ordinance supersedes and replaces all previous Ordinances hereto relating to the subject matter hereof.

NOW, THEREFORE, be it resolved by the City Council of the City of Box Elder that any fees previously created by ordinance or resolution that are inconsistent with the following Comprehensive Schedule are hereby amended to be consistent with the following Comprehensive Schedule;

BE IT FURTHER, resolved by the City Council of the City of Box Elder that the following fees shall be charged by the City of Box Elder:

OTHER FEES AND CHARGES FOR SERVICE - Applicants should be aware that they may be subject to other fees and charges for service established periodically by Administrative Policy of the Administrator or by Ordinance.

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A. PLANNING & COMMUNITY DEVELOPMENT FEES

- Annexation (Voluntary) \$250
- Approach Permit Application fee \$100
- Building Permit fee (Residential) Per IRC
- See Title #150, Appendix A (Table 100-A IRC below)

APPENDIX A: TABLE 100-A IRC BUILDING PERMIT FEES

<i>Total Valuation</i>		<i>Building Permit Fees</i>			
<i>From</i>	<i>To</i>	<i>Base Fee</i>	<i>For the First</i>	<i>Plus</i>	<i>For Each Additional</i>
\$1	\$1,000	\$50.00			

\$1,001	\$2,000	\$50.00	\$1,000	\$4.50	\$100 or fraction thereof up to and including \$2,000
\$2,001	\$25,000	<u>\$95.00</u>	\$2,000	\$10.00	\$1,000 or fraction thereof up to and including \$25,000
\$25,001	\$50,000	\$325.00	\$25,000	\$7.50	\$1,000 or fraction thereof up to and including \$50,000
\$50,001	\$100,000	\$512.50	\$50,000	\$5.50	\$1,000 or fraction thereof up to and including \$100,000
\$100,001	\$500,000	\$787.50	\$100,000	\$3.50	\$1,000 or fraction thereof up to and including \$500,000
\$500,001	\$1,000,000	\$2,187.50	\$500,000	\$3.00	\$1,000 or fraction thereof up to and including \$1 Million
\$1,000,001	and above	\$3,687.50	\$1,000,000	\$2.00	\$1,000 or fraction thereof above \$1 million

Other Inspections and Fees	
1. Fee for inspections outside of normal business hours (min. charge of 2 hours)	\$100 per hour ¹
2. Fee for re-inspection	\$50 per hour ¹
3. Fee for inspections for which no fee is indicated	\$50 per hour ¹
4. Fee for additional plan review required by changes, additions or revisions to plans (min. charge of 1 hour)	\$50 per hour ¹
5. Fee for use of outside consultants for plan checking and inspections or both	Actual costs ²
6. Building Permit Extensions for 90 days (max. 180 total)	\$50.00
7. Fee for plan review for one- and two-family dwellings and accessory structures shall be 10% of the building permit fee	
8. Fee for plan review for all occupancies except one- and two-family dwellings shall be 25% of the building permit fee	
Notes to Table:	
¹ Or the total hourly cost to the city, whichever is greater. This cost shall include supervision, overhead, equipment, and hourly wages and benefits of the employees or contractors involved.	
² Actual costs include administrative and overhead costs	

Building Permit fee (Non-Residential) Per IBC 100-B
 See Title #150, Appendix B (Table 100-B IBC below)

APPENDIX B: TABLE 100-B IBC BUILDING PERMIT FEES

<i>Total Valuation</i>		<i>Building Permit Feet</i>			
<i>From</i>	<i>To</i>	<i>Base Fee</i>	<i>For the First</i>	<i>Plus</i>	<i>For Each Additional</i>
\$1	\$1,000	\$70			
\$1,001	\$2,000	\$70	\$2,000	\$2.50	\$100 or fraction thereof up to and including \$2,000
\$2,001	\$25,000	\$95.00	\$2,000	\$14.00	\$1,000 or fraction thereof up to and including \$25,000
\$25,001	\$50,000	\$417.00	\$25,000	\$11.00	\$1,000 or fraction thereof up to and including \$50,000
\$50,001	\$100,000	\$692.00	\$50,000	\$8.00	\$1,000 or fraction thereof up to and including \$100,000
\$100,001	\$500,000	\$1,092.00	\$100,000	\$6.50	\$1,000 or fraction thereof up to and including \$500,000
\$500,001	\$1,000,000	\$3,692.00	\$500,000	\$5.00	\$1,000 or fraction thereof up to and including \$1 Million
\$1,000,001	and above	\$6192.00	\$1,000,000	\$3.50	\$1,000 or fraction thereof over 1 Million.

<i>Other Inspections and Fees</i>	
1. Fee for inspections outside of normal business hours (min. charge of 2 hours)	\$100 per hour ¹
2. Fee for re-inspection	\$50 per hour ¹
3. Fee for inspections for which no fee is indicated	\$50 per hour ¹
4. Fee for additional plan review required by changes, additions or revisions to plans (min. charge of 1 hour)	\$50 per hour ¹
5. Fee for use of outside consultants for plan checking and inspections or both	Actual costs ²

6. Fee for plan review for one- and two-family dwellings and accessory structures shall be 10% of the building permit fee	
7. Fee for plan review for all occupancies except one- and two-family dwellings shall be 25% of the building permit fee	
Notes to Table:	
¹ Or the total hourly cost to the city, whichever is greater This cost shall include supervision, overhead, equipment, and hourly wages and benefits of the employees or contractors involved.	
² Actual costs include administrative and overhead costs	

Annual General Business License Fee	\$25
Annual General Residential Business License Fee	\$25
Transient Vendor Business License Fee	\$50
Annual Adult Oriented Business License Fee	\$100
Conditional Use Permit Application Fee	\$250 + *
*Plus Mailing Cost for required notification letters	
Contractor's License (3 Year Term)	\$300
Contractor's License (1 Year Term)	\$200
Renewal (3 Year Term)	\$150
Demolition Permit (Informational)	\$25
Directional Sign Installation (Existing Site)	\$50
Directional Sign Installation (New Site)	\$100
Floodplain Development Application Permit (single lot & subdivision)	\$100
Grading Permit Application	\$50
Late Application	Greater of \$100 or 2x the amount of the Application
*Charged in addition to the Application fee	
Manufactured Home Parking Permit	\$50
*Allows temporary parking of structure	
Moving Permit Application Fee	\$50
*Structures over 200 square feet	

Moving out of City to Landfill/Rubble Site for Demo *Structures over 200 square feet	\$0
Notification fee *Per United States Postal Service—see current postal rate for certified letter with return receipt	USPS Cost
Layout Plat/Plan Application	\$25
Preliminary Plat/Plan Application	\$250+\$25/lot
Final Plat Application	\$150
Minor Plat Application	\$250
Planned Unit Development	\$250
Right-of-Way Work Permit	\$20
Sewer & Water Permit (Contractor Installation)	\$50
Sign Permit Application (sign face < 300 sq ft.)	\$200
Sign Permit Application (sign face > 300 sq ft.)	\$500
Street Use Permit Application fee *PW Director may set bond amount for Permit	\$250 *
Vacate Easement *plus mailing cost for required notification letters	\$250+ *
Vacate Right-of-Way *plus mailing cost for required notification letters	\$250+ *
Variance Application Fee *plus mailing cost for required notification letters	\$500+ *
Wastewater System Permit Application *Individual on-site septic systems	\$250 *
Zoning Appeal	\$100
Zoning Amendment Application Fee	\$300+ *

*plus mailing cost for required notification letters

Standard Review charge

\$25/ hour

B. PUBLIC WORKS FEES

Utility Accounts

Customer Deposits (53.19.05)

Residential Owners, Renters, Contractors and All Other Classifications:

Water Meter Size	Deposit
5/8"	\$100 (minimum)
1"	\$175
1.5"	\$370
2"	\$500
3"	\$970
4"	\$1,785
6"	\$2,500

Hydrant Meter Account (City or Customer owned Meter)

\$2,500 Refundable Deposit

Hydrant Meter Account (City or Customer owned Meter)

\$25.00 Administrative Fee

***Previously delinquent/poor financial history applicants will require a double deposit.**

Tap Fees:

Water Meter Size	In-city Tap Fee	Out-of-city Tap Fee
5/8"	\$300	\$450
1.5"	\$400	\$600
2"	\$750	\$1,125
4"	\$1,200	\$1,800
6"	\$1,500	\$2,250

Review of rates: (53.19.06)

All fees, deposits, water service rates, and surcharges may be reviewed and approved by City Council as needed. Unless otherwise determined by the City Council the volumetric water rate shall increase by 4% annually, effective January 1st, 2021.

Meter Reading, Billing, and Collecting (53.20):

Late Fee: (5pm on the 15 th of every month)	\$15
Administrative Fee: (5pm on the 27 th of second delinquent month)	\$100
Meter reading: (estimated use over 1 month) reconnect charge	
a) Mon – Friday 8am – 5pm	\$25
b) After 5pm Mon – Fri or weekends/holidays	\$125
Customer requested termination of services	
a) Mon – Friday 8am – 5pm	\$75
b) After 5pm Mon – Fri or weekends/holidays	\$150

City may furnish water to customers outside of city limits at a two times higher rate

- a) The tap fee and impact fees are 1.5 times higher than approved rates

***As of May 16, 2017, per Resolution 17-12; there is currently a moratorium on providing water outside city limits.**

Customer Requested Leak Check (5-Gal) \$0

*A charge for labor and cost will be billed to the customer for removing and replacing water meters over one inch should the water meter be found to register correctly.

Meter Replacement Charge (neglected meter) Current Cost of Meter + \$25.00

Service line repairs (53.25.17)

- a) Turn off fee \$75
- b) Turn on fee N/A (included in above)

Responsibility of contractor

- a) Water service line leak within two years of installation requiring water shut-off. If the repairs are not made by the specified date, the PW director shall make the necessary repairs. The original contractor shall be billed the cost of labor, material, 15% overhead, and a \$50 administrative fee.

Property Owner/Customer Responsibility

- a) Water service line repairs immediately after the curb stop located at the property line, which continues to the residence or business.
- b) The cost of relocation of the curb stop to the property line is the responsibility of the property owner.
- c) Repairs of curb stop will be the responsibility of the property owner

Any person willfully using unmetered water: Penalty of \$100 plus the cost of estimated water consumption during the period the water use was unmetered. ** DOES NOT INCLUDE ANY PENALTIES DERIVED FROM CIVIL OR CRIMINAL CHARGES.

Water Facility Availability Fee (Water Impact Fee) Per domestic water tap size – See chart (53.19.02)

SFDE = Single Family Dwelling Equivalent		WSAF = Water Service Availability Fee	
Domestic Water Tap Size	SFDE	WSAF In-City Total Fee	WSAF – Out-of-City Total Fee
1”	1	\$750.00	\$1,125
1.5”	2.59	\$1,942.50	\$2,913.75
2”	4.08	\$3,060.00	\$4,590
3”	9.16	\$6,870.00	\$10,305
4”	16.29	\$12,217.50	\$18,326.25
6”	36.70	\$27,525.00	\$41,287.50
8”	65.25	\$48,937.50	\$73,406.25
10”	101.95	\$76,462.50	\$114,693.75

Solid Waste

Annual fee schedule shall be adopted by the city based upon the actual cost of collecting municipal waste within the city plus any applicable administrative charges on each customer account. (51.30.002)

- 1. Small tote \$13.06 plus admin fee \$2.44 = \$15.50/month
- 2. Large tote \$14.48 plus admin fee \$2.52 = \$17.00/month
- 3. Additional tote \$10.00/month per additional tote
- 4. Timing of collection (51.31.003) \$50.00 plus up to, or equal the monthly amount being charged
- 5. Penalties (51.61) Violations of solid waste ordinance may be issued an administrative citation by a fine of

not less than \$50.00, nor more than \$500.00, or
in default of payment of such fine.

6. Hauling Permit

Cost+10%; plus, ongoing inspection costs

Wastewater

Rates, fee and charges shall be allowable as provided in SDCL 9-48 (52.13)

- 1. Tap Fees Cost of materials plus 20%, and \$75/man hour
- 2. Tap inspection fee \$50/tap
- 3. Sewer Availability Fee (Sewer Impact Fee) Per domestic water tap size – See Title 52.13.B 52-8)

SFRE = Single Family Dwelling Equivalent SSIF = Sanitary Sewer Service Availability Fee

Domestic Water Tap Size	SFRE	SSIF In – City Total Fee	SSIF Out of City Total Fee
1”	1	\$500.00	\$750.00
1.5”	2.59	\$1,295.00	\$1,942.50
2”	4.08	\$2,040.00	\$3,060.00
3”	9.16	\$4,580.00	\$6,870.00
4”	16.29	\$8,145.00	\$12,217.50
6”	36.70	\$18,350.00	\$27,525.00
8”	65.25	\$31,125.00	\$46,687.50
10”	101.95	\$50,975.00	\$76,462.50

4. For all classes of service with a Box Elder water account the user fees shall be set in **Appendix A: Sewer Rates**

5. For all classes without a Box Elder Water account a flat rate of \$44.40 per dwelling unit or its equivalent unless further changed by resolution or Ordinance (52.13).

6. Repairs of plugged or leaking sanitary sewer service line or other apparatus shall be charged to the customer for the costs of such repairs (52.15.G) / (52.20).

7. Any person willfully using the City’s sanitary sewer services without the prior permission of the City shall be assessed a minimum penalty of \$100.00 plus the cost of estimated sanitary sewer services during the period the sanitary sewer system use was not approved. Each day an owner or lessor of the property fails to contact the City may constitute a separate violation. (52.30). **** DOES NOT INCLUDE ANY PENALTIES DERIVED FROM CIVIL OR CRIMINAL CHARGES.**

Engineering Services

Water System Expansion Inspection Fees	
Engineering approval and inspection of proposed water main. (53.16.11)	\$65/ hour
Easement/vacation deed research & review	Cost+ 10%
Covenant agreement research & review	Cost+ 10%
Legal description/offer of dedication research & review	Cost+ 10%
Preparation of legal description/dedication documents	Cost+ 10%
Standard Review charge	\$65/ hour
Standard Inspection charge	\$65/ hour

C. NUISANCE FEES

Civil Penalties (93.01.03)

Civil penalties may be cited under the nuisance ordinance, although criminal enforcement is not prohibited. The civil penalties within any rolling 12-month period shall be as follows:

First Violation	\$50
Second violation	\$100
Third or subsequent violation(s)	\$200

Failure to pay administrative citation fee within the time permitted, will result in an increase of \$5 per day of penalty, not to exceed a total of \$500, per citation issued.

Remedies not Exclusive: (93.01.03)

Other legal remedies may be pursued to resolve nuisances.

Abatement: (93.02.10)

The city shall also have the authority to abate nuisances as set forth in SDCL (21-10-6)

Abatement / Lien Filing Administrative Fee per abated nuisance	\$150
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D. PARKS AND RECREATION FEES

Community Center (Empty, No Kitchen, No Tech	\$75/hr
Community Center (Table/Chair set-up, No kitchen/tech	\$100/hr
Community Center (Table/Chair set-up, w/Kitchen/tech)	\$125/hr
Community Center (Linens: 1 table plus 6 chairs)	\$15/set
Box Elder City Hall – All other Rooms	\$125/hr
Security Deposit (Refundable) All meeting Rooms (no alcohol)	\$250
City Park Reservation Security Deposit (Refundable)	\$250
Alcohol Deposit (Refundable) All meeting Rooms & Parks	\$350
Boykin Park (Minimum 2 hours) Includes shelter	\$12.50/hr
Denali Park (Minimum 2 hours) Includes shelter	\$15/hr
Veterans Park (Minimum 2 hours) Includes shelter	\$15/hr
Any other City Park- No shelter	\$10/hr
Box Elder Park—Lights	\$25/hr
Baseball Park (per field)	\$15/hr
Sports Complex—Fields	\$15/hr
Sports Complex—Lights	\$25/hr
Baseball Park—Multipurpose Fields	\$15/hr
Baseball Park Multi-Purpose Field w/lights	\$20/hr
Field Security Deposit	\$250
Field Security Deposit (Box Elder non-profit teams only)	\$100/season

Vendor Booths

Rates for Vendors for Special Events (Harvest Festival, Winter Market, Easter Market, Summer Events, Patriot Day etc.)

*Certain fees and discounts may vary depending on the event; and are at the discretion of the Marketing Director. All registrations include one, 6-foot table provided by the City of Box Elder. All Box Elder Chamber of Commerce Businesses or Corporate members will receive 25% off their registration.

- 6 foot inside table space \$40
- 6 x 6 inside space \$50
- 7 x 7 inside space \$60
- 8 x 8 inside space \$75
- Electricity Indoors (\$10.00/outlet)
- 10 x 10 outside space \$60
- 10 x 20 outside space \$75
- Electricity Outdoors (\$25/outlet)
- 10 x 10 Outside Canopy (Set up and taken down by our staff) Not Available
- 10 x 20 Outside Canopy (Set up and taken down by our staff) Not Available

Bridal Fair Event (Vendor Rates)

- 6 foot inside table space inside \$100
- 6 x 6 inside table space inside \$150
- 7 x 7 inside table space \$200
- 8 x 8 inside table space \$300
- 10 x 10 outside space \$200
- 10 x 20 outside space \$250
- Electricity \$20/outlet indoors

- Electricity \$50/outlet outdoors

Event Center during non-business hours (for otherwise exempt Government agencies, Box Elder recognized non-profits, and community Organizations); where it costs the City to staff facilities for such use, the fully burdened hourly staff rate will be passed on to the facility user.

E. ADMINISTRATIVE FEES

Certification of Copies with City Seal	\$5
Black & White Photocopies of documents 8 ½” x 11”	\$.25/page
Color Photocopies of documents 8 ½” x 11”	\$.50/page
Black & White Photocopies of documents legal or ledger size	\$1/page
Color Photocopies of documents legal or ledger size	\$2/page
Black & White Copies of documents larger than 11” x 17”	\$5/page
Color Copies of documents larger than 11” x 17”	\$10/page
Faxes	
Outgoing	\$2, first page
Outgoing	\$1.25, each additional page
Incoming	\$1.25/per page
Copies of electronic records that must be constructed, Actual cost programmed & computer services necessary to produce a copy of the record.	
Search and retrieval fee for Box Elder City Clerk documents five years or older	\$5 / request
Notary	\$10 / signature
Research Time	\$50/request
Staff Service Time (15-minute interval)	\$10.00/interval
• Related to special requests – witnesses, training, etc.	

F. FINANCE DEPARTMENT FEES

NSF check	\$40
NSF ACH/Bank Draft	\$40
Credit Card Processing Fee	\$3.30/transaction

Alcoholic Beverage Sales & Video Lottery License Fees (SDCL Title 35 / Ord 520 & 548)

State Law limits licenses available to the municipality based on census population

	NEW FEES	RENEWAL FEES	SUNDAY SALES	VIDEO LOTTERY (per machine)
CL - Convention Center Licenses	\$125,000	\$1500	\$200	\$50
PL - Package Off-sale Liquor	\$1000	\$500	\$200	N/A
RL - Retail On-sale Liquor	\$125,000	\$1500	\$200	\$50
RB - Retail On & Off-sale Malt Beverage & SD Farm Wine	\$300	\$300	\$200	\$50
RW - Retail On & Off-sale Wine	\$700	\$500	\$200	\$50

Special Alcohol Permits \$25 – per day (max of 24 per year)

Consumption Permits \$30 – (max of 24 hours)

Cannabis Fees (Ord 677 & 678)

- Dispensary Facility License \$125,000
- Cultivation Facility License \$ 25,000
- Testing Facility License \$ 25,000
- Product Manufacturing Facility License \$ 25,000

Dispensary, Cultivation, Testing, or Product Manufacturing Facility Annual Renewal \$5,000

Dispensary, Cultivation, Testing, or Product Manufacturing Facility Application Fee \$5,000

Any person who operates or causes to be operated a cannabis establishment without a valid license or in violation of City ordinance(s) pertaining to cannabis is subject to maximum fine of \$500.00 per day. ** DOES NOT INCLUDE ANY PENALTIES DERIVED FROM CIVIL OR CRIMINAL CHARGES.

G. ANIMAL FEES

Pet Licensing: (90.102)

Each pet license application shall be submitted with a license fee according to the following schedule:

	Spay or Neuter	None
First pet	\$7	\$12
Second pet	\$7	\$12
Third pet	\$12	\$22
Fourth pet	\$12	\$22

License fees are not refundable. Service dogs shall be exempt from the license fee requirement.

Replacement Tags: (90.105) \$7

Civil/Administrative Penalty Amount: (90.009)

Civil penalties may be cited under this ordinance, although criminal enforcement is not prohibited

The civil penalties within any rolling 12-month period shall be as follows:

First violation	\$50
Second violation	\$100
Third or subsequent violation(s)	\$300
Administrative citation appeal fee (90.011)	\$25

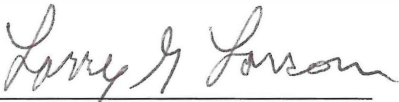
H. PUBLIC SAFETY FEES

Police Reports	\$7
Digital Photos (on disc)	\$25
Digital Videos (on disc)	\$25

I. SPECIAL EVENT PERMIT FEES

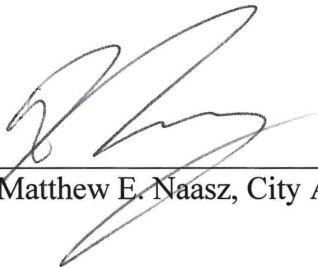
Daily Permit fees (filing application 60 days or more of event)	\$250
Daily Permit fees (filing application 59-30 days of event)	\$500
Street Closure Permit	\$250
Community Services Officer	Fully burdened hourly rate
Parking Control Officer	Fully burdened hourly rate
Code Enforcement Officer	Fully burdened hourly rate

PASSED, APPROVED and ADOPTED this 2nd day of November, 2021.



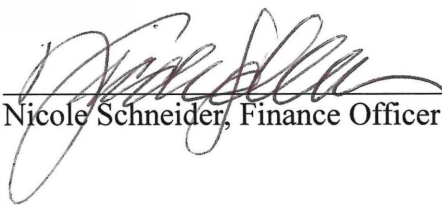
 Larry Larson, Mayor

APPROVED AS TO FORM:



 Matthew E. Naasz, City Attorney

ATTEST:



 Nicole Schneider, Finance Officer

