

**NO. 2011-110**

**RESOLUTION REGARDING WAIVING AND LIMITATION OF FEES RELATED TO PLANNING, ZONING, CONSTRUCTION, AND DEVELOPMENT OF REAL ESTATE**

**WHEREAS**, the City of Rapid City charges various fees related to planning, zoning, construction, and development of real property; and

**WHEREAS**, the City of Rapid City maintains departments and divisions for the purpose of providing services related to planning, zoning, construction, and development of real property; and

**WHEREAS**, the City of Rapid City incurs significant expense in providing such services; and

**WHEREAS**, if the cost of such services is not paid by the user of such services, the cost of such services is paid from the general fund at the cost of taxpayers; and

**WHEREAS**, the City of Rapid City is frequently requested to waive fees related to planning, zoning, construction, and development of real property; and

**WHEREAS**, the Council finds that waiving such fees has the effect of transferring the expense of providing such service to the taxpayer and further has the effect of creating the impression that such services are provided without cost or are without value; and

**WHEREAS**, the Council adopted a resolution on August 5, 1996, providing that no fees for services related to planning, zoning, construction or development shall be waived other than in the case of projects funded by the City's general fund; and

**WHEREAS**, the said Resolution also limited fees for projects funded by federal, state, or county governments or the school district to those for services actually rendered; and

**WHEREAS**, the Council desires to provide the same fee limitation to City projects funded from sources other than the general fund as is given to the federal, state and county governments.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Rapid City that no fees chargeable for services related to planning, zoning, construction, or development of real property shall be waived, subject to the following:

(1) Projects funded from the general fund will not be required to pay such fees, other than drainage fees, unless otherwise determined. Paying fees from the general fund to be placed back into the general fund is not a worthwhile exercise.

(2) Projects funded from other City funds shall not be required to pay fees other than drainage fees unless a service is rendered; fees for services actually rendered shall be at the full rate.

(3) Projects by the federal, state, and county governments and the school district, which view themselves as exempt from the City's regulations, shall not be required to pay fees other than drainage fees unless a service is rendered; fees for services actually rendered shall be at the full rate.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

CITY OF RAPID CITY

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

(SEAL)