

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER HOPPE
Council Bill No. 17
Ordinance No. 1628
Series 2017

**TITLE: AN ORDINANCE AMENDING SECTION 5-41 OF THE WHEAT
RIDGE CODE OF LAWS CONCERNING BUILDING PERMIT FEES**

WHEREAS, the City of Wheat Ridge, Colorado (the "City"), is a Colorado home rule municipality, duly organized and existing pursuant to Section 6 of Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and C.R.S. § 31-15-601, the City, acting through its City Council (the "Council"), possesses the authority to adopt building and fire regulations; and

WHEREAS, pursuant to this authority, the City previously adopted building and fire regulations, including an administrative and enforcement process related thereto, codified as Chapter 5 of the Wheat Ridge Code of Laws ("Code"); and

WHEREAS, Section 5-41 of the Code addresses building permit fees, which are typically calculated by reference to project "valuation" or "cost"; and

WHEREAS, the Council desires to clarify and codify the manner in which building project valuation and cost shall be calculated by the City, for purposes of permit fee assessment.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF WHEAT RIDGE, COLORADO:**

Section 1. Section 5-41 of the Code, concerning building permit fees, is hereby amended as follows:

Sec. 5-41. Fees.

(a) All fees related to public works building permit review and processing under this chapter shall be established by Council resolution. Building permit fees shall not include cost of land or public improvements associated with purchase of land for construction of the structure.

(b) The government of the United States of America, the state of Colorado and its political subdivisions, the city and all agencies and departments thereof shall be exempt from the payment of fees for work performed on buildings, structures or utilities owned wholly by such agencies or departments and devoted exclusively to governmental use.

(c) The fee for a supplementary permit to cover any additional valuation not included in the original permit shall be the difference between the fee paid for the original permit and the fee which would have been required had the original permit included the entire valuation.

(D) PERMIT FEES IMPOSED UNDER THIS CHAPTER THAT RELATE TO "VALUATION," "TOTAL COST" OR SIMILAR REFERENCE TO THE MONETARY VALUE OF A PROJECT SHALL BE CALCULATED BY REFERENCE TO THE MOST RECENT BUILDING VALUATION DATA (BVD) PROMULGATED AND PUBLISHED BY THE INTERNATIONAL CODE COUNCIL (ICC). THE BVD REPRESENTS AVERAGE COSTS-OF-CONSTRUCTION BASED ON TYPICAL CONSTRUCTION METHODS FOR EACH OCCUPANCY GROUP AND TYPE OF CONSTRUCTION.

Section 2. Severability, Conflicting Ordinances Repealed. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. Effective Date. This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 7 to 0 on this 14th day of August, 2017, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for August 28, 2017, at 7:00 p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

READ, PUBLIC HEARING CONDUCTED, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 6 to 0, this 28th day of August, 2017.

SIGNED by the Mayor on this 28th day of August, 2017.

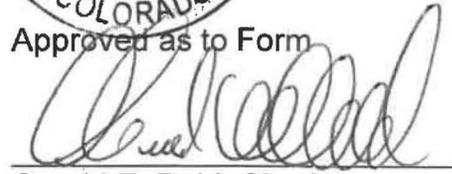

Joyce Jay, Mayor

ATTEST:


Janelle Shaver, City Clerk
Robin Eaton, Deputy City Clerk



Approved as to Form


Gerald E. Dahl, City Attorney

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