

## **ORDINANCE NO. 2016-35**

**AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO REPEALING ORDINANCE NO. 2012-14 THAT AMENDED TITLE 4, CHAPTER 1, SECTION 3, PART B.1 OF THE KUNA CITY CODE (AS AMENDED), WHICH PROVIDED THAT CERTAIN FEES ASSOCIATED WITH THE APPLICATION FOR A NEW RESIDENTIAL CONSTRUCTION BUILDING PERMIT BE DEFERRED UNTIL ISSUANCE OF THE CERTIFICATE OF OCCUPANCY; CLARIFYING WHEN PERMIT AND PLAN REVIEW FEES ARE PAYABLE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Article XII, Section 2 of the Idaho Constitution, and Idaho Code Section 50-302 allow municipal corporations to adopt regulations which are not contrary to the general laws; and

WHEREAS, the City Council now finds that the City has recovered from the recession, which had a substantial impact on the number of residential building permits being issued in the city of Kuna, and the City is now issuing residential building permits at pre-recession levels; and

WHEREAS, the City Code, as amended, currently allows for building and impact fees for new residential construction be paid at the time of issuance of the certificate of occupancy; and

WHEREAS, the program for deferral was rarely used, and it resulted in an extraordinary amount of staff time preparing the necessary paperwork to both issue the permits, secure the amount due by lien, and then release the lien after payment; and

WHEREAS, the City Council finds that it is in the best interest of the City to repeal that portion the Kuna City Code which provided for the payment of certain fees at the time of issuance of certificate of occupancy to revert to the prior system where the fees were collected at time of application for issuance of building permit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KUNA, ADA COUNTY, IDAHO, as follows:

Section 1: Kuna City Code Title 4, Chapter 1, Section 3, Part B.1, titled "Permit Fees" shall be amended as follows:

### **4-1-3**

#### **B.**

**1.** Permit Fees: Applicants shall pay plan review fees at time of submitting the application to the city; agency fees, city impact fees, and permit fees and are due at the time the building permit is obtained from the city. All city

fees shall be established by ordinance or resolution of the city council, as amended from time to time.

- a. ACHD Impact Fee. (As approved by ACHD).
- b. Kuna City Building Permit Fee
- c. Kuna City Zoning Fee
- d. Kuna City Electrical Inspection Fee
- e. Kuna City Plumbing Inspection Fee
- f. Kuna City RES Check Fee
- g. Kuna City Mechanical Inspection Fee
- h. Kuna City Water Meter Set
- i. Kuna Municipal Irrigation Pressurized Irrigation Supply Fee.
- j. Kuna Municipal Irrigation Pressurized Irrigation Main Fee.
- k. Kuna City Water Main Capacity Fee.
- l. Kuna City Water Supply Fee.
- m. Kuna City Sewer Treatment Capacity Fee (not including any LID assessment).
- n. Kuna City Sewer Interceptor Capacity Fee.
- o. Kuna City Park Impact.
- p. Any other Kuna City fee, as adopted by resolution or ordinance.

Section 2: This ordinance shall become effective upon passage and publication, as provided by law.

ADOPTED this 6<sup>th</sup> day of December, 2016.

CITY COUNCIL OF THE CITY OF  
KUNA  
Ada County, Idaho

---

Joe L. Stear, Mayor

ATTEST:

---

Chris Engels, City Clerk