

Town of Sugar Creek

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TOWN OF SUGAR CREEK TEXT AMENDMENT TO SECTION 11.00 OF THE TOWN OF SUGAR CREEK SUBDIVISION CONTROL ORDINANCE

WHEREAS, the Sugar Creek Town Board has reviewed section 11.00 of the Sugar Creek Subdivision Control Ordinance, and

WHEREAS, the Sugar Creek Town Board has found reason to clarify and expand Section 11.00 of the ordinance as it relates to fees for the review of proposed subdivisions and certified survey maps, so that it corresponds to the types of fees listed on the Town of Sugar Creek fee schedule, and

WHEREAS, the proposed changes have been given due consideration by the Town Board in open session,

NOW THEREFORE, the Town Board of the Town of Sugar Creek does hereby ordain as follows:

Text Amendment

Additions are underscored; deletions are crossed off.
Page 51 following section 11.01

11.02 PRELIMINARY PLAT REVIEW FEE

- A. The Subdivider Shall pay a fee as set forth in the Town fee schedule to the Town Clerk at the time of first application for approval of any preliminary plat to assist in defraying the cost of review.
- B. A Reapplication Fee as set forth in the Town fee schedule shall be paid to the Town Clerk at the time of reapplication for approval of any preliminary plat which has previously been reviewed.

11.03 CERTIFIED SURVEY MAP REVIEW FEE

- A. The Subdivider Shall pay a fee as set forth in the Town fee schedule to the Town Clerk at the time of first application for approval of any certified survey map to assist in defraying the cost of review.
- B. A Reapplication Fee as set forth in the Town fee schedule shall be paid to the Town Clerk at the time of reapplication for approval of any certified survey map which has previously been reviewed.

11.04 IMPROVEMENT PLAN REVIEW FEE

- A. The Subdivider Shall pay a fee or present a letter of credit or a bond equal to one percent of the cost of the required public improvements as estimated by the Town Engineer at the time of the submission of improvement plans and specifications to partially cover the cost to the Town of reviewing such plans and specifications.
- B. The Fee May be recomputed, upon demand of the subdivider or Town Engineer, after completion of improvement construction in accordance with the actual cost of such improvements and the difference, if any, shall be paid by or remitted to the subdivider. Evidence of cost shall be in such detail and form as required by the Town Engineer.

11.05 SITE INSPECTION FEE

The subdivider shall pay a fee equal to the actual cost to the Town for such inspection as the Town Engineer deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications, and ordinances of the Town or other governmental authority.

11.06 FINAL PLAT REVIEW FEE

- A. The Subdivider Shall pay a fee as set forth in the Town fee schedule to the Town Clerk at the time of first application for approval of any final plat to assist in defraying the cost of review.
- B. A Reapplication Fee as set forth in the Town fee schedule shall be paid to the Town Clerk at the time of a reapplication for approval of any final plat which has previously been reviewed.

11.07 IMPACT FEES

The subdivider shall pay any impact fees required by Section 8.09 of this Ordinance or by the Town of Sugar Creek Impact Fee Ordinance.

11.08 ENGINEERING FEE

- A. The Subdivider Shall pay a fee equal to the actual cost to the Town for all engineering work incurred by the Town in connection with the plat.
- B. Engineering Work shall include the preparation of construction plans and standard specifications. The Town Engineer may permit the subdivider to furnish all, some, or part of the required construction plans and specifications, in which case no engineering fees shall be levied for such plans and specifications.

11.09 ADMINISTRATIVE FEES

The subdivider shall pay a fee equal to the cost of any special legal, administrative, or fiscal work that may be undertaken by the Town in connection with the proposed land division or condominium plat, including the drafting of contracts between the Town and the subdivider. These fees may also include the cost of obtaining independent professional opinions including, but not limited to, those of engineers, landscape architects, and land planners requested by the

Town Board or Plan Commission in connection with the review of the land division or condominium plat being considered.

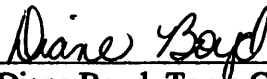
11.10 APPEAL OF FEES

The Subdivider shall have the right to challenge the amount of any fees levied under Sections 11.04, 11.05, 11.08, and 11.09 of this Ordinance by an appeal to the Town Board. Upon receipt of such an appeal, the Town Board, upon due notice, shall hold a public hearing at which the Subdivider and the Town officials concerned can present their case. Based upon review of relevant records and the testimony presented at the public hearing, the Town Board shall make a determination with respect to the fairness of the amount of the fees challenged and shall make a determination to decrease, affirm, or increase the fees concerned.

Adopted this the 18th day of March, 2002

TOWN OF SUGAR CREEK

BY: 
Loren Waite, Town Chairman

ATTEST: 
Diane Boyd, Town Clerk