

# TOQUERVILLE CITY

1109A

## ORDINANCE NO. 2006-1109; November 9, 2006

AN ORDINANCE ESTABLISHING ENDANGERED SPECIES ACT FEES; *TURTLE HCP*  
PROVIDING FOR COLLECTION AND DISBURSEMENT.

WHEREAS, Toquerville City has entered into an Interlocal Agreement with Washington County, Utah, for assisting in the funding of Endangered Species Issues and a Habitat Conservation Plan; and

WHEREAS, the City Council determines it to be in the best interest of the community to participate in the Plan and to assist in the funding; and

WHEREAS, Washington County and other cities who are participating in the Plan have adopted the required Agreement fee schedule; and

WHEREAS, the City Council determines it to be fair and equitable to fund this Plan through new growth, inasmuch as the said Plan will directly benefit new development by allowing it to occur without expensive and time-consuming environmental compliance;

NOW THEREFORE, it is ordained by the City Council of Toquerville, Utah, as follows:

1. There is hereby established a Subdivision Endangered Species Fee of TWO-HUNDRED AND FIFTY DOLLARS (\$250) per acre, payable at the time application is made for Final Plat approval. This fee shall apply to any new project being subdivided that has not received final plat approval prior to May 16<sup>th</sup>, 2006 (date City signed Interlocal Agreement).
2. There is further established an Endangered Species Act Fee of TWO-TENTHS OF ONE PERCENT (0.2% or .002) of the total value of construction for which a permit is requested, payable at the time application is made for issuance of a building permit on all new residential, commercial, and industrial construction. This shall not apply to building permits for remodeling, add-ons of existing structures, or outbuildings.
3. The City Treasurer is hereby directed to collect and deposit these funds in a separate account designated the "Endangered Species Conservation Fund" and to disburse the funds accumulated therein quarterly to Washington County on or before the last day of the month following a calendar quarter, together with an appropriate report showing the number of subdivision final plats issued and their acreages, and the number of applicable building permits and their construction values.
4. There is further established a minimal and (when) applicable, City administration process fee to be set by Resolution for Toquerville City Fee Schedule.

ORDINANCE No. 2006-1109, (Cont.)

4. This Ordinance is in furtherance of the City's obligations under the Interlocal Agreement executed between the City and Washington County, a copy of which is attached hereto as Exhibit "A" and incorporated by reference herein.

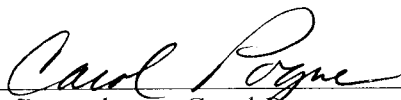
DATED this 9th day of November, 2006;

TOQUERVILLE CITY MAYOR:



\_\_\_\_\_  
R. Kenneth Powell

ATTEST:



\_\_\_\_\_  
City Recorder: Carol Pogue

