

**HAY CREEK TOWNSHIP
GOODHUE COUNTY, MINNESOTA
Resolution No. R2013-01**

RESOLUTION ADOPTING A FEE SCHEDULE

WHEREAS, Hay Creek Township (“Town”) requires the payment of fees related to certain services it provides, including zoning related fees pursuant to its recently adopted zoning ordinance;

WHEREAS, the Town has general authority to impose fees for services and is expressly authorized by Minnesota Statutes, section 462.355, subdivision 4 to impose fees to offset its costs to administer and enforce its zoning ordinance;

WHEREAS, the Town Board anticipates it will annually collect less than \$5,000 in permit fees and so it may, under Minnesota Statutes, sections 462.355, subdivision 4a, adopt a fee schedule by resolution instead of by ordinance;

WHEREAS, the fees imposed by the Town to obtain permits, approvals, or to receive other governmental services are modest and are intended to defray the costs the Town incurs related to providing the particular type of service;

WHEREAS, the Town Board recognizes the increasing need to involve professionals to assist the Town to properly process and act on certain zoning related applications it receives. When the Town Board determines it needs such professional assistance with respect to a particular request, it may charge the applicant the actual professional costs the Town incurs directly related to the applicant’s request; and

WHEREAS, the Town Board determines the fees established on the attached fee schedule are fair, reasonable, proportionate, and have a nexus to the actual costs the Town incurs related to providing the services to which they relate.

NOW, THEREFORE, the Town Board hereby resolves as follows:

1. The attached fee schedule is adopted for the Town and the fees contained therein replace any fee amounts previously adopted by the Town Board on the same item.
2. The fee schedule is effective immediately and applies to any requests for a service included on the schedule made on or after the date of this Resolution.
3. The zoning fees the Town collects shall be used to offset the Town’s costs related to the administration and enforcement of its zoning ordinance. Zoning fees the Town collects will not be transferred or used for purposes unrelated to planning and zoning.
4. A dispute regarding a zoning related fee shall be handled in accordance with Minnesota Statutes, section 462.353, subdivision 4(d).

5. The Town may refuse to accept an application or may otherwise refuse to take action on a request from a person that has any unpaid fees or other amounts due to the Town and the Town may collect any such unpaid amounts on the taxes of person's property in the Town pursuant to Minnesota Statutes, section 366.102, or such other law as may apply.

BE IT FINALLY RESOLVED, the Town Clerk is authorized and directed to post a copy of the fee schedule on the Town Hall bulletin board and to keep the schedule on file in the Clerk's office.

Adopted this 11th day of March, 2013.

BY THE TOWN BOARD

Town Chairperson

Attest: _____
Town Clerk

**HAY CREEK TOWNSHIP
FEE SCHEDULE**

Adopted March 11, 2013

Zoning Fees

ZONING REQUEST	FEE*	ESCROW AMOUNT**
Building Permit	\$50.00	N/A
Interim Use Permit/Amended IUP	\$250.00	\$5,000.00
Variance	\$250.00	\$2,000.00
Amendment	\$250.00	\$2,000.00
Appeal	\$250.00	\$2,000.00
After-the-Fact Permit	Two times the regular fee	N/A
Subdivision	\$250.00	\$2,000.00

*Fees are non-refundable.

** The escrow amount must be deposited with the Town and is used by the Town to reimburse itself for the actual professional costs it incurs to process the request. If the escrowed amount is not sufficient to fully reimburse the Town its costs, the application will be billed or required to submit additional funds to be placed in escrow. Any unreimbursed amounts constitute a service charge the Town will certify to the County Auditor for collection on the applicant's property as provided in Minn. Stat. § 366.012.