

**TOWN OF GYPSUM, COLORADO**

**ORDINANCE NO. 5 (SERIES 2021)**

**AN ORDINANCE OF THE TOWN OF GYPSUM AMENDING THE MUNICIPAL CODE WITH RESPECT TO FIRE PROTECTION IMPACT FEES**

WHEREAS, the Town of Gypsum (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town’s Home Rule Charter effective October 21, 1982 (the “Charter”); and

WHEREAS, Title 17 of the Gypsum Municipal Code (“G.M.C.”) imposes certain Fire Protection and Emergency Medical Service Impact Fees, which in part are transferred to the Greater Eagle Fire Protection District (“Fire District”) to purchase capital facilities used in providing fire and emergency medical services; and

WHEREAS, the Fire District and the Town previously entered into an Intergovernmental Agreement Concerning the Collection, Payment and Use of Fire Protection Fire Impact Fees dated January 25, 2020 (“Previous IGA”), and terminated and replaced the Previous IGA by entering into the Intergovernmental Agreement Concerning the Collection, Payment and Use of Fire Protection Fire Impact Fees dated July 13, 2020 (the “IGA”); and

WHEREAS, the Fire District has requested the Town update and amend the impact fee amounts set forth in the Gypsum Municipal Code and, as required by the IGA, has provided the Town with an Impact Fee Study prepared by BBC Research and Consulting dated June 1, 2017 (“Study”) supporting such amendments; and

WHEREAS, the Study and Section 17.50.110, G.M.C. also call for the impact fees to be updated annually based on inflation; and

WHEREAS, for the purpose of updating Title 17 of the G.M.C., the Town Council desires to amend the impact fee charges set forth in Section 17.50.400;

NOW, THEREFORE, be it ordained by the Town Council of the Town of Gypsum, Colorado that:

**Section 1.** Amendment of Section 17.50.040 of the Gypsum Municipal Code. Portions of Section 17.50.040 of the Gypsum Municipal Code are hereby amended by deleting the words that are stricken through and adding the capital and double-underlined words.

**17.50.040 Fee Amount**

(a) Fire protection service impact fee. At the option of the developer, the amount of the fire protection service impact fee may be determined in accordance with the following year ~~2010~~ 2021 fee schedule, as adjusted for subsequent years as further provided in this chapter:

(1) For development activities within the Greater Eagle Fire Protection District:

Use	Fee
<u>Single Family Residential</u>	<del>\$1,144.59</del> \$2,359.23/dwelling unit
<del>Commercial, except temporary and extended stay lodging facilities</del> <u>Multi Family Residential</u>	<del>\$572.29</del> 1,000 sq. ft. <u>\$1,078.01/dwelling unit</u>
<del>Industrial</del> <u>Commercial (other than lodging</u>	<del>\$572.29</del> <u>\$950.74/1,000 sq. ft.</u>
Temporary and extended stay lodging facilities	<del>\$1,430.74</del> <u>\$950.74/1,000 sq. ft.</u>

**Section 2.** Public Inspection. Copies of this ordinance and the Gypsum Municipal Code are available for public inspection at the office of the Gypsum Town Clerk.

**Section 3.** Public Hearing. A public hearing on this Ordinance shall be held on the 13<sup>th</sup> day of July 2021, at 7:00 p.m. at the Town of Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

**Section 4.** Effective Date. This Ordinance shall become effective as a permanent Ordinance five (5) days after publication, following final adoption after a public hearing held on the 13<sup>th</sup> day of July, 2021, at 7:00 p.m. at the Gypsum Town Hall, 50 Lundgren Blvd., Gypsum, Colorado.

**Section 5.** Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

INTRODUCED, READ AND ORDERED PUBLISHED BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF GYPSUM ON THE 22nd DAY OF JUNE 2021.

TOWN OF GYPSUM

By: \_\_\_\_\_  
Stephen M. Carver, Mayor

Attest:

\_\_\_\_\_  
Becky Close, Town Clerk

INTRODUCED ON SECOND READING, READ, CONSIDERED AT A PUBLIC HEARING AND FINALLY ADOPTED, PASSED AND APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED POSTED AND PUBLISHED, BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, UPON A MOTION DULY MADE AND PASSED AT ITS MEETING HELD ON THE 13<sup>th</sup> DAY OF JULY, 2021, BY A VOTE OF \_\_\_\_\_ IN FAVOR AND \_\_\_\_\_ AGAINST.

TOWN OF GYPSUM

By: \_\_\_\_\_  
Stephen M. Carver, Mayor

Attest:

\_\_\_\_\_  
Becky Close, Town Clerk

(S E A L)