

RESOLUTION NO. 960

A RESOLUTION OF THE CITY OF FAIRBURY AMENDING RESOLUTION 804, AS AMENDED BY RESOLUTION 937, LEVYING AND ASSESSING VARIOUS FEES, BONDS OR DEPOSITS, BY REMOVING REFERENCE TO THE COMMUNITY ANTENNA TELEVISION SYSTEM FRANCHISE FEE AS REDUNDANT.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FAIRBURY, NEBRASKA:

Section 1. Resolution 804, as amended by Resolution 937, is hereby amended as follows:

As to the City in general;

*WHEREAS, the Municipal Code of the City of Fairbury, Nebraska requires a license, permit, bond or deposit for the lawful conduct of certain activity; and*

*WHEREAS, said Municipal Code authorizes the Governing Body to set and collect appropriate fees for licenses, permits, bonds, or deposits; and*

*WHEREAS, the Governing Body desires to set and collect appropriate fees for rental of City equipment; and*

As to the Board of Public Works;

*WHEREAS, the Fairbury Municipal Code provides for the operation of sanitary sewer facilities and potable water facilities as a City-Owned utility; and*

*WHEREAS, it is a policy of the City that the sewer (wastewater) system, including the wastewater treatment and disposal facilities, together with the water system each be operated as a self-supporting utility and that service charges for connection to the City mains and its use shall be calculated and changed from time to time in sufficient amounts to operate and maintain the sanitary sewer system and the water system to meet the needs of all users; and*

*WHEREAS, the Board of Public Works, subject to the approval of the Council, is charged with the duty of calculating the sewer and water service charges and to determine their adequacy and satisfy the financial needs required to operate and maintain the sanitary sewer and water systems of the City of Fairbury, Nebraska ; and*

As to both City in general and the Board of Public Works;

*WHEREAS, the Council finds that the rates, charges and fees set forth below are for the purpose of meeting operating expenses, cost of supplies, materials and equipment, and financing capital projects necessary to maintain existing service areas;*

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FAIRBURY, NEBRASKA:**

*SECTION 1: The fees for processing applications for licenses and permits and other rates and charges required shall be as follows:*

**PERMITS AND FEES**

Bicycle License:	\$ 3.00 per year
Billiard & Pool Table:	
First Table	\$ 10.00
Each Additional Table	\$ 1.00 per table
Bowling Alley:	
First Lane	\$ 10.00
Each Additional Lane	\$ 1.00
Boy Scout Cabin Rental:	\$ 15.00 per day
Building Permit, Commercial (New Construction):	\$250.00
Building Permit, Commercial (Repair and Remodel):	
\$1 to \$5,000 value	\$ 50.00
\$5,001 to \$25,000 value	\$100.00
\$25,001 to \$50,000 value	\$150.00
\$50,001 to \$100,000 value	\$200.00
\$100,001 and up value	\$250.00
Building Permit, Residential (New Construction and Additions):	
\$1 to \$5,000 value	\$ 15.00
\$5,001 to \$25,000 value	\$ 20.00
\$25,001 to \$50,000 value	\$ 25.00
\$50,001 to \$100,000 value	\$ 35.00
\$100,001 and up value	\$ 50.00
Community Antenna Television System <a href="#">Franchise Fee</a> :	5% of Gross Revenue <u>per</u> <a href="#">Franchise Agreement</a>
Community Building Use:	
South Room	\$ 15.00 per hour
Gym	\$ 15.00 per hour
Crystal Springs Camping:	\$ 10.00 per night
Curb Cut Fee:	\$ 50.00 per hour Minimum Fee \$50.00
Curb Replacement Fee:	
30" curb	\$ 18.50 per foot
36" curb	\$ 20.00 per foot
Demolition Permit:	\$ 20.00

Dog License:	
Male or Female Dog	\$ 8.00
Spayed or Neutered Dog	\$ 3.00
Dog License, Duplicate:	
Male or Female Dog	\$ 4.00
Spayed or Neutered Dog	\$ 2.00
Electrical Inspection:	For more information, call (402) 471-3550
Electrical Permit:	\$ 10.00
Electricians, Certificate of Registration for:	\$ 50.00 per year
Equipment Rental Charges:	
Loader	\$ 75.00 per hour
Grader	\$ 75.00 per hour
Sweeper	\$ 60.00 per hour
Dump Truck	\$ 50.00 per hour
Sander Truck	\$ 60.00 per hour plus \$ 10.00 per cubic yard
Fence Permit:	\$ 10.00
Fireworks Vendor License:	\$ 25.00 per year
Floodplain Development Permit:	\$ 50.00 residential \$100.00 commercial
Girl Scout Cabin Rental:	\$ 20.00 per day
Historical District Authorization Certificate:	\$ 50.00 per Submittal
Impoundment Fee:	\$ 10.00 per day
Per Animal Pickup Fee:	
First Offense (with License)	\$ 15.00
First Offense (without License)	\$ 25.00
Second Offense	\$ 35.00
Third Offense	\$ 45.00
Insufficient Funds	\$25.00
Liquor, Retailers of:	
Class A License	\$100.00
Class B License	\$100.00
Class C License	\$300.00
Class D License	\$200.00
Class I License	\$250.00
Lottery License:	\$ 50.00
Moving Permit:	\$ 35.00

Municipal Swimming Pool Charges:

Person five and younger	free
*Persons five and younger must be accompanied by an adult	
Purchase of individual swim diaper	\$ 1.00
Daily Single	\$ 2.50
Single Season Pass	\$ 40.00
Family Season Pass	\$ 70.00
Swimming Lessons per student for 10 hour course	\$ 20.00
Evening or Special Hour Pool Parties, per Hour Fee	\$ 35.00

Natural Gas Distribution Company: 5% of Gross Revenue

Occupation Tax, double liquor license fee:

Class A License	\$200.00
Class B License	\$200.00
Class C License	\$600.00
Class D License	\$400.00
Class I License	\$500.00
Class K License	\$200.00
Class L License	\$500.00
Class W License	\$1,000.00
Class X License	\$1,500.00
Class Y License	\$500.00

Parking Permit, Handicapped or Disabled: No Fee

Paving Cut:

Blacktop	\$ 8.00 per square foot
Concrete	\$ 9.00 per square foot
Foot Brick	\$ 10.00 per square foot

Pawnbroker License: \$ 50.00 per year  
\$ 25.00 per six month

Peddler and Hawker License: \$ 10.00 per day  
\$ 75.00 per year

Permit to Build Airport Hazard Area:

Construction or Repair over \$100 but less than \$1,000	\$ 10.00
\$1,001 and over	\$ 20.00

Plumber, Certificate for Registration: \$ 50.00 per year

Plumbing Inspection: \$ 5.00 per inspection

Plumbing Permit: \$ 10.00

Preservation Committee Decision, Appeal of: \$ 30.00

Right-of-Way Construction Permit: \$ 10.00

Subdivision Plat Application:

Administrative Subdivision	\$ 25.00
Preliminary	\$ 35.00
Replat/Small Tract	\$ 25.00
Final	\$ 50.00

Sanitary Sewer Connection Fees:

Sanitary Sewer Connection fees shall consist of Parts A & B, and if applicable Part C:

A. Basic Connection Fee:

4" tap	\$ 35.00
6" tap	\$ 45.00

B. Frontage Connection Fee:

A minimum fee shall be charged for any sewer connection, with an additional fee to be charged on a per running foot basis, in excess of 125 frontage feet, calculated upon the frontage of the applicant's "lot of record", which is adjacent to an existing sewer line. Fees shall be applicable to each side of the sewer line. The fee for applications filed hereafter:

\$ 1,500 and an  
additional 12.00 per foot in excess of 125 frontage feet

C. Direct Connection Fee:

A Fee shall be assessed on a per running foot basis for any "lot of record" or legally described area for which an applicant seeks to connect directly to a sanitary sewer trunk line by means of a lateral or feeder line. The fee shall be a calculation upon the frontage of the lot or area connecting directly to the line. The per running foot fee for application filed hereafter:

\$ 12.00

D. Upon submission of a written request, any assessment under paragraphs B or C of \$1,500, exactly, or exceeding \$3,600 shall be reviewed by the Board of Public Works and may be adjusted or modified from time to time.

E. For purposes of this section, "lot of record" shall mean a lot which is part of a subdivision which has been legally platted and recorded in the Office of the Jefferson County Register of Deeds. If not part of a legally platted subdivision, such "lot of record" may be determined by a survey of the same, duly certified by a licensed Nebraska surveyor, filed in the Office of the Jefferson County Register of Deeds. In the absence of a survey, the Board of Public Works shall make a determination of the frontage of the lot for which the sewer service is sought, which determination shall be binding upon the applicant and shall be deemed to be the "lot of record" for purposes of this section.

F. In addition to the payment of connection fees specified above, applicant shall be also be required to pay any applicable monthly sewer charges as provided in separate ordinance of the City of Fairbury, Nebraska.

G. The Foregoing connection fees are based upon connection at a point adjacent to the lot of record and do not include costs or assessments resulting for extension of existing lines to the connection point.

Sidewalk Permit:	\$ 10.00 (new)
Sign Permit:	
Real Estate and Name Plate	\$ 15.00
All other signs	\$ 30.00
Special Use Permit	\$ 50.00
Telephone Company	5% of gross revenue
Tobacco, Retailers of:	\$ 10.00
Vending Machines:	\$ 10.00
Video and Pinball Machines:	
First Machine	\$ 10.00
Each Additional Machine	\$ 1.00

Water Connection Fees:

Water Connection Fees shall consist of parts A & B below:

A. Basic Connection Fee

5/8" tap	\$ 25.00
3/4" tap	\$ 25.00
1" tap	\$ 25.00
1 1/2" tap	\$ 35.00
2" tap	\$ 45.00
4" tap	\$100.00
6" tap	\$125.00
8" tap	\$150.00
10" tap	\$200.00
12" tap	\$250.00

B. Frontage Connection Fee:

A minimum fee shall be charged for any water connection, with an additional fee to be charged on a per running foot basis, in excess of 125 frontage feet, calculated upon the frontage of the applicant's "lot of record", which is adjacent to an existing water line. Fees shall be applicable to each side of the water line. The fee for applications filed hereafter:

\$ 1,500 and an  
additional 12.00 per foot in excess of 125 frontage feet

C. Direct Connection Fee:

A Fee shall be assessed on a per running foot basis for any "lot of record" or legally described area for which an applicant seeks to connect directly to a water trunk line by means of a lateral or feeder line. The fee shall be a calculation upon the frontage of the lot or area connecting directly to the line. The per running foot fee for application filed hereafter:

\$ 12.00

D. Upon submission of a written request, any assessment under paragraph B or C of \$1,500, exactly, or exceeding \$3,600 shall be reviewed by the Board of Public Works and may be adjusted or modified from time to time.

E. For purposes of this section, "lot of record" shall mean a lot which is part of a subdivision which has been legally platted and recorded in the Office of the Jefferson County Register of Deeds. If not part of a legally platted subdivision, such "lot of record" may be determined by a survey of the same, duly certified by a licensed Nebraska surveyor, filed in the Office of the Jefferson County Register of Deeds. In the absence of a survey, the Board of Public Works shall make a determination of the frontage of the lot for which the water service is sought, which determination shall be binding upon the applicant and shall be deemed to be the "lot of record" for purposes of this section.

F. In addition to the payment of connection fees specified above, applicant shall be also be required to pay any applicable monthly water charges as provided in separate ordinance of the City of Fairbury, Nebraska.

G. The Foregoing connection fees are based upon connection at a point adjacent to the lot of record and do not include costs or assessments resulting for extension of existing lines to the connection point.

Zoning, Change of Classification:	\$ 75.00
	(non-refundable)
Zoning, Amendment of Regulations Text:	\$ 50.00
	(non-refundable)
Zoning, Request for Variance, Appeal of Decision or Interpretation:	\$ 50.00
	(non-refundable)

SECTION 2. The revenue collected from sanitary sewer connection fees and the water connection fees set forth above shall be paid to their respective funds or accounts with the Board of Public Works and shall be used to defray any expenses or bonds associated with the City's sanitary sewer utility or water utility.

SECTION 3. In the event the statutes of the State of Nebraska provide that delinquent charges and all penalties thereon, as the same now exist or may hereafter be amended, shall constitute a lien upon the real property served, except public owned property, then upon compliance with the procedure set forth in the statutes, such lien shall constitute until the charge(s) and all penalties thereon are fully paid or the property sold therefore.

SECTION 4. The above new rates, fees and charges shall become effective after passage of this resolution.

SECTION 5. Resolution 772 and all other resolutions or parts of resolutions in conflict herewith are hereby repealed.

PASSED AND ADOPTED this 4<sup>th</sup> day of January, 2011.

Section 2. This amendment shall become effective after passage of this resolution.

Section 3. All portions of Resolution 804 and 937, and other resolutions or parts thereof, in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 9<sup>th</sup> DAY OF OCTOBER, 2014.

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Homer L. Ward, Mayor

ATTEST:

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Sharyl Preston, City Clerk