

# **SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT**

## **RESOLUTION NO. 2020-09**

### **A RESOLUTION REPEALING AND READOPTING A FEE SCHEDULE**

WHEREAS, the South Metro Fire Rescue Fire Protection District (the “District”) is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Article 1, Colorado Revised Statutes; and

WHEREAS, Sections 32-1-1002 (d) and (e), C.R.S., authorize fire protection districts to adopt and enforce fire codes and to fix and from time to time increase or decrease fees and charges for fire code inspections; and

WHEREAS, by Resolution No. 2019-11 the District adopted by reference the fee schedule previously adopted by the South Metro/Cunningham Fire Rescue Authority by Resolution No. 2018-14 (the “Previous Fee Schedule”); and

WHEREAS, by Resolution No. 2020-3 the District adopted an amended fee schedule (the “Amended Previous Fee Schedule” and collectively with the Previous Fee Schedule as the “Previous Fee Schedules”); and

WHEREAS, the District has determined that the repeal of the Previous Fee Schedules and re-adoption of a cumulative fee schedule (the “Fee Schedule”) is necessary to help offset the costs incurred by the District for inspections and plan reviews conducted pursuant to the International Fire Code.

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT AS FOLLOWS:**

1. **Repeal of Previous Fee Schedules.** The Board hereby repeals the Previous Fee Schedules adopted by reference in Resolution No. 2019-11 and Resolution No. 2020-3.
2. **Adoption of Fee Schedule.** The Board hereby adopts the Fee Schedule attached hereto as Exhibit A.
3. **Payment Processing Fees.** The Board hereby authorizes the Fire Chief to approve the collection of fees associated with the processing of credit card transactions and/or checks, provided that such fees do not exceed 4.5% of each transaction.

4. **Fire Chief to Annually Adjust Fees.** The Fire Chief shall adjust the Fee Schedule annually without further Board action, in accordance with the compensation model adopted by the District's Human Resources Department.

5. **Fire Marshal Authorized to Reduce or Waive Fees.** The Fire Marshal shall be authorized to reduce or waive the fees in the Fee Schedule based upon the circumstances of specific projects which are determined, in his or her sole discretion, to result in reduced or nominal costs to the District for the services provided.

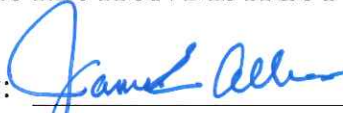
6. **Waiver for Governmental Entities.** The Fire Chief shall be authorized to reduce or waive the fees in the Fee Schedule, except punitive fees, for governmental entities, including, but not limited to counties, municipalities, schools and special districts, when determined by the Fire Chief in his sole discretion that either (i) the governmental entity provides reciprocal services or benefits to be of approximately equal benefit to the District, or (ii) the governmental entity's project or special event will result in reduced or nominal costs to the District for the services provided. Punitive fees include re-inspection, after hours inspection, and re-submittals after the first re-submittal.

7. **Severability.** If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.


8. **Effective Date.** This Resolution shall take effect and be enforced as of August 10, 2020.

Adopted this 6th day of July 2020.

SOUTH METRO FIRE RESCUE FIRE  
PROTECTION DISTRICT

By:   
\_\_\_\_\_  
Jim Albee, Chair

Attest:

  
\_\_\_\_\_  
Hank Eng, Secretary

**EXHIBIT A**

**Fee Schedule**

[ATTACHED]