

Resolution Number 2017- 08

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO EXTENDING THE PERIOD OF THE TEMPORARY SUSPENSION OF IMPACT FEES AS ORIGINALLY PROVIDED FOR IN RESOLUTION 2015-14 and 2016-04 FROM FEBRUARY 8, 2017, TO FEBRUARY 12, 2018.**

**WHEREAS**, the Board of County Commissioners of Rio Blanco County, State of Colorado (hereinafter the "Board"), is authorized, pursuant to state enabling legislation including, but not limited to, C.R.S. Sections 30-28-101, et seq., to plan for and regulate the use and development of land in the unincorporated area of the County of Rio Blanco, State of Colorado (hereinafter the "County"), for the purpose of promoting the health, safety, convenience, order, prosperity, and welfare of the present and future inhabitants of the County; and

**WHEREAS**, the County has broad authority to regulate growth and development under the Local Government Land Use Control Enabling Act of 1974, C.R.S. Sections 29-20-101, et seq., and other applicable law; and

**WHEREAS**, C.R.S. Section 29-20-104.5, C.R.S., authorizes the County to impose and collect charges on land development as a condition of the approval of the development, if such charges relate to any expenditure for an improvement, facility, or piece of equipment necessitated by land development which is directly related to a local governmental service; and

**WHEREAS**, the County, continues to experience a significant down turn in the development of oil and gas resources and other development activities due to the current price of oil and natural gas; and

**WHEREAS**, this decrease in energy development has extended the anticipated time frame for increased demands on County services described in the Impact Fee Support Study incorporated into Resolution 2008-11; and

**WHEREAS**, the Board, in an attempt to stimulate energy and other development in Rio Blanco County during 2015 suspended the imposition of Impact Fees provided for in Resolution 2008-11 by unanimously approving Resolution 2015-14 temporarily suspending the Impact fees as to all development permits issued during the period of May 11, 2015 through February 8, 2016; and

**WHEREAS**, the Board unanimously approved Resolution 2016-05 extending the suspension of impact fees from February 8, 2016 through February 7, 2017; and

**WHEREAS**, the Board wishes to extend the period of the temporary suspension of Impact fees beginning February 8, 2017 through February 12, 2018;

**THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO, COLORADO:**

- 1) The Impact Fees imposed by Resolution 2008-11 and temporarily suspended by Resolution 2015-14 and 2016-05 are temporarily suspended as to all development permits issued during the period of February 8, 2017 through February 12, 2018.
- 2) A development permit issued pursuant to this Resolution will expire one year from its date of issue unless extended by action of the Board.
- 3) In order to qualify for the suspension of Impact Fees pursuant to this Resolution, development projects must be commenced and substantially and continuously progress to completion during the one year period of the development permit.
- 4) This temporary suspension Resolution will automatically expire on February 12, 2018 unless extended by further action of the Board.
- 5) This temporary Impact Fee suspension is not intended to be available to or applied to development projects for which development permits have previously been issued within twelve months preceding the date of this Resolution which are withdrawn and reissued within the time period of this Resolution.
- 6) On or about February 12, 2018, the Board shall perform a review as provided for in paragraph 119.9 of Exhibit A attached to Resolution 2008-11.
- 7) If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board declares that it would have adopted this Resolution and each section, subsection, sentence, clause, or portion herein despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions, would be declared invalid or unconstitutional.

DULY MOVED, SECONDED, AND PASSED ON A VOTE OF 3 FOR  
AND 0 AGAINST, THIS 13<sup>th</sup> DAY OF February, 2017.

The Board of County Commissioners of  
Rio Blanco County, Colorado

ATTEST:



Boots M. Campbell  
Clerk & Recorder



  
Shawn J. Bolton, Chairman

  
Jeff Rector, Commissioner

  
Si Woodruff, Commissioner