

Sec. 78-51. Planning, zoning, inspection, and development review fees.

There are hereby established fees for review and inspection of development proceedings by the City of Columbus. The term "development proceedings" shall mean:

- (1) Any petition or application filed to annex property to the city, or to process an annexation agreement or amendment to an annexation agreement;
- (2) Any petition or application filed for relief from or amendment of the zoning ordinance text or map or a conditional use permit;
- (3) Any petition or application to approve a certified survey map, a planned unit development, subdivide land, resubdivide land, or otherwise plat property pursuant to the subdivision ordinance.
- (4) Any petition or application filed to address issues relating to rights-of-way or easements, including but not limited to, plats of dedication, plats of vacation or easement documents; and
- (5) Any other improvement or development of real property.

The term "review" shall include, but not be limited to conducting hearings and meetings, processing, reviewing and preparation of documents, evaluations of drawings for code compliance, legal, technical, and professional review and consultation, and similar actions that involve the review of proposed earthmoving, construction or alteration of buildings and uses and appearances of property.

Said fees are listed in section 78-53 of this chapter and shall be due and payable to the city at the time of filing an application or petition. Said fees shall not be refundable. In the event the filing fee is paid by check and the check is returned to the city due to insufficient funds by the financial institution, the city shall suspend the review process. A cashier's check that includes the required fees, a \$30.00 returned check service charge, and any other cost that the city may incur, shall be deposited with the city before the city resumes the review process.

Development proceedings initiated by the city are exempt from fees. The common council may waive planning, zoning and development fees by a majority vote of the council.

- (6) Construction of new structures and alterations or repairs to existing structures.

Sec. 78-52. Reimbursement for professional services.

(a) Deposit. In the event it is necessary for the city to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, traffic or drainage experts, or other consultants, in connection with review of any petitioner's request for action upon any annexation zoning amendment, subdivision, certified survey map, planned development, dedication, vacation, easement or other improvement or development upon real property, then the petitioner and/or owner of the property shall be jointly liable for the payment of such professional fees. At the time the petitioner files a petition or application, the petitioner will be required to deposit an amount with the city as listed in section 78-54 of this chapter as an initial deposit to be credited against the cost incurred for review of the petition. The required deposit must be made before the city will review the petition or application. The common council may waive this requirement by a majority vote of the council.

(b) Invoices. The city shall send the petitioner an accounting of expenses for professional services that have been deducted from the petitioner's professional services account.

(c) Withdrawals and denials of petitions. A petitioner who withdraws a petition may apply in writing to the city for a refund of the initial deposit. The city council may, at its discretion, refund less actual fees and costs that the city has already incurred relative to the petition.

(d) Professional fees. Any professional fees incurred as a direct or indirect result of the petitioner, owner or agent requesting a professional opinion or otherwise requesting relief or assistance from the city, whether or not related to real property, shall be reimbursed in accordance with this chapter if, in the sole discretion of the city, a professional opinion is desired or necessary.

(e) Default. Upon failure of the petitioner or owner to reimburse the city in accordance with this chapter no action on any request made by the owner or petitioner will be undertaken by the city council, city staff or any other official body of the city until all outstanding fees or reimbursements are paid in full. Upon failure to reimburse the city, the city at its discretion may elect to place a lien against any real property associated with the petitioner's request.

(f) Assigning authority. The mayor and city council and the designated staff are hereby authorized to assign requests for professional services to the city staff or to a consultant as deemed appropriate.

(g) Agreement. At the time the petitioner requests action from the city he will be required to enter into an agreement with the city that contains the parameters of this chapter.

(h) Refund. Any surplus funds in the account of the petitioner or owner, upon written request, after all costs are paid shall be returned after approval of the city administrator, city engineer, and city attorney.

(i) Professional fees incurred for individual residential property. In the event it is necessary for the city to obtain professional services in connection with proposed work on individual residential property, the owner may be liable for the payment of such professional fees.