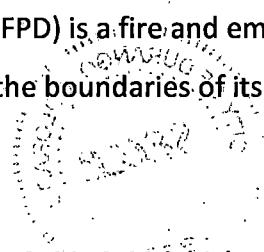


**ORDINANCE NO. O-2023-0010**

**AN ORDINANCE AMENDING SECTION 8-72 OF THE CODE OF ORDINANCES OF THE CITY OF DURANGO FOR THE PURPOSES OF MODIFYING RESIDENTIAL AND NON-RESIDENTIAL FIRE IMPACT FEES IMPOSED ON DEVELOPMENT AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the provisions of C.R.S. §29-29-104.5 authorize the City to impose an impact fee on as a condition of issuing a development permit to fund expenditures by a fire and emergency services provider that provides fire protection, rescue and emergency services in the new development on capital facilities needed to serve new development; and

WHEREAS, the Durango Fire and Protection District (DFPD) is a fire and emergency services provider under the above referenced statute within the boundaries of its district; and



WHEREAS, in 2019 the City Council adopted Ordinance O-2019-23 which allowed for a DFPD Impact Fee to be imposed on new development; and

WHEREAS, the DFPD on April 4, 2023, provided the City with a new DFPD Impact Fee study and schedule which study identifies future capital improvements needed to adequately provide service to new growth and development within areas in the jurisdiction of the City and recommends an increase in fire impact fees necessary to defray such impacts; and

WHEREAS, the Council, following a public hearing, has determined that the DFPD Impact Fee study and schedule presented by the DFPD establishes the reasonable impacts of proposed development on existing capital facilities of the Durango Fire Protection District and finds that the proposed DFPD Impact Fee is at a level no greater than necessary to defray such impacts directly related to proposed development in areas within the jurisdiction of the City; and

WHEREAS, the Council desires to adopt the DFPD Impact Fee schedule to assure that high levels of fire protection, rescue and emergency services will continue to be available within the City, thereby enhancing the health, safety and welfare of the citizens of the City; and

**NOW, THEREFORE, THE CITY OF DURANGO HEREBY ORDAINS:**

**Section 1.** That Section 8-72 of Chapter 8, Article V of the Code of Ordinances of the City of Durango, Colorado is hereby amended to read in its entirety as follows:

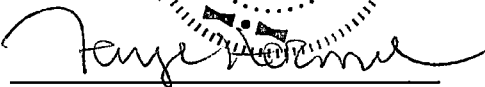
Sec. 8-72. Amount of Fee.

The DFPD Impact Fee shall be set at the following amounts:

- a. For residential development, the DFPD Impact Fee shall be \$ 1,317.00 per unit.
- b. For commercial or other non-residential development, the DFPD Impact Fee shall be two dollars and thirty-two cents (\$2.32) per square foot of enclosed floor area.
- c. In cases where a residential use of property is approved to be converted to a non-residential use, then the DFPD Impact Fee shall be the amount of the commercial impact fee for the new commercial use, less a credit in the amount of the residential impact fee.

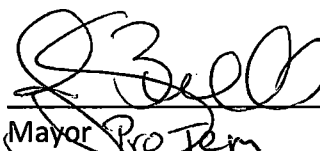
Section 2. This ordinance shall become effective ten (10) days after its passage and final publication as provided by law.

Attest:

  
\_\_\_\_\_  
City Clerk

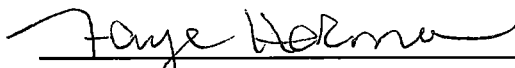


CITY COUNCIL OF THE CITY OF DURANGO

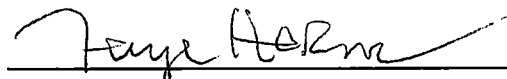
  
\_\_\_\_\_  
Mayor Pro Tem

STATE OF COLORADO )  
 ) ss.  
COUNTY OF LA PLATA )

I, Faye Harmer, City Clerk of the City of Durango, La Plata County, Colorado, do hereby certify that Ordinance No. O-2023-0010 was regularly introduced and read at a regular meeting of the City Council of the City of Durango, Colorado on the 18th day of April, 2023, and was ordered published in accordance with the terms and conditions of the statutes in such cases made and provided, in the Durango Herald, a newspaper of general circulation, on the 23rd day of April, 2023, prior to its final consideration by the City Council.

  
\_\_\_\_\_  
City Clerk

I further certify that said Ordinance No. O-2023-0010 was duly adopted by the Durango City Council on the 2<sup>nd</sup> day of May, 2023, and that in accordance with instructions received from the Durango City Council, said ordinance was published by title only in the Durango Herald on the 7th day of May, 2023.

  
\_\_\_\_\_  
City Clerk