



<b>Policy Number:</b>			
<b>Policy Name:</b>	<b>City Fee Waiver Policy</b>		
<b>Adoption Date:</b>	<b>Draft</b>	<b>Revision Date:</b>	
<b>Approved By:</b>		<b>Expiration Date:</b>	

## **1. Scope**

This policy applies to all requests to City staff for waiver of City fees. Citizens have the right to make direct appeals to Council for fee waiver, however, City staff (Directors, Assistant City Managers, City Clerk) should bring forth fee waiver requests to the City Manager on behalf of citizens or businesses in adherence to the criteria set forth in the fee waiver policy.

## **2. Purpose / Background**

The City Council periodically receives request for waiver of City fees for the purpose of relieving hardship or promoting economic development. City Council requested that City Manager develop a policy stating specific criteria for Council approval of fee waivers. City Council has the sole discretion to waive fees and the policy is adopted by City Manager to provide Council guidance on consideration of waiver of fees.

## **3. Policy**

The purpose of the fee waiver policy is to set guidelines and criteria for specified City staff to make recommendation for waiver of any City fee. The fee waiver policy will establish criteria for when a requested fee waiver is presented to City Council for their approval or denial.

A waiver of City fees should be considered on a limited basis and should only be brought forth to Council by specified City staff in the form of a Resolution stating amount and the purpose of the fee waiver. Parties requesting fee waiver should receive the City staff fee waiver policy and be advised of their right to present fee waiver proposals directly to City Council without staff requesting such waiver.

## **4. Procedures**

The following procedure shall be adhered to prior to requesting fee waiver.

1. The entity or individual requesting fee waiver fills out City's standard fee waiver form.

2. The fee waiver form shall provide name of entity or individual, contact information, type of fee waiver, and amount not to exceed in terms of total fee waiver.
3. Specified City staff shall create a Resolution requesting specified fee waiver in conjunction with City Clerk.
4. Resolution and application shall be presented to City Manager or Acting City Manager for their review and approval.
5. Agenda statement must be prepared outlining purpose of fee waiver.
6. Specified City staff requesting fee waiver must present item to City Council.
7. Entity or individual requesting fee waiver must also be present at Council meeting.

## **5. Limitations/Approvals/Responsibilities**

City of Valdez staff will consider presenting waiver of fees to City Council under the following circumstances:

- 1) During times of emergency as declared by City Council. Specified staff should consider the requested fee waiver in terms of the hardship such emergency caused the party requesting the fee waiver, including but not limited to increased expenses, loss of income, delays in project implementation, or other hardship unforeseen and created due to declared emergency.
- 2) Hardship created due structure fire destroying residence, business, or non-profit organization.
- 3) The purpose of the fee waiver is a defined public purpose (applicant should define public purpose i.e. not strictly private purpose).

Fee Waivers for economic development purposes related to for-profit business shall be associated with other City Council sponsored economic development activities (i.e. tax abatements, City land sales conducted through negotiate sale, developer's agreements, and other City Council sponsored initiatives adopted via Resolution).

- 4) Total fees waivers recommended by Staff.
- 5) Fee waiver cannot exceed 25% of revenue budget of any department in a single budget year and shall not exceed over \$250,000 in overall City revenue
- 6) Fee waiver must be utilized within one-year of Resolution being approved by Council.

## 6. Definitions

Fees of the City are defined to include any fee or charge duly adopted by the City Council, including, but not limited to:

- Utility fees (water and sewer fees)
- Ports and Harbor fees, including moorage, rental, and other facility fees
- Planning Department fees, including building permit, zoning application, platting, temporary land use permit, land leases, and other any other fees collected and administered by the Planning Department
- Parks, Recreation, and Cultural Services fees, including facility rental, user fees, and other fees collected and administered by the Parks, Recreation, and Cultural Services Department
- Landfill and solid waste fees
- All other fees collected and administered by the City of Valdez

All Ad Valorem property tax issues are not eligible for waiver under this policy. Additionally, duly levied fines of any City department are not eligible for waiver under this policy. Lastly, City staff (in consultation with City Manager or Assistant City Manager) have the ability to resolve billing disputes without action of City Council if such dispute resolution is deemed to be reasonable accommodation that can be justified in terms of equity and City finance practices.