

**CITY OF ROBERTS
ORDINANCE NO. 2024-568**

AN ORDINANCE RELATING TO THE COLLECTION AND EXPENDITURE OF
DEVELOPMENT IMPACT FEES FOR CAPITAL IMPROVEMENTS WITHIN THE CITY
OF ROBERTS, INCLUDING FIRE DISTRICT SYSTEM IMPROVEMENTS

WHEREAS the City of Roberts, Idaho, herein referred to as the "City," under and pursuant to the powers vested in it by Idaho Code, deems it necessary to make and place into effect a policy regarding the collection and expenditure of development impact fees for capital improvements to ensure that adequate public facilities are available to serve new growth and development;

WHEREAS the City of Roberts aims to promote and accommodate orderly growth and development, protect the public health, safety, and general welfare of the residents, and ensure that an equitable distribution of costs related to new growth and development is achieved through the collection of impact fees;

WHEREAS the City of Roberts has entered into an intergovernmental agreement and joint powers agreement with the Roberts Fire District for the collection and expenditure of development impact fees specifically for fire district system improvements;

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF
THE CITY OF ROBERTS, IDAHO

SECTION 1: PURPOSE This Ordinance establishes that the City may begin the process under the Idaho Development Impact Fee Act codified in Idaho Code 67-8201 et seq. to establish general impact fees for capital improvements within the City to ensure an equitable distribution of costs related to new growth and development. Additionally, this Ordinance enacts a Roberts Fire District Impact Fee for the collection of fees for capital improvements to the Roberts Fire District as outlined below.

SECTION 2: APPLICABILITY The provisions of this Ordinance shall apply to all new development within the boundaries of the City, including all property owned or occupied by the United States, the state, county, and the city. The collection of fees and the use of fees shall be governed by the Roberts Fire District Capital Improvement plan.

SECTION 3: DEFINITIONS For purposes of this Ordinance, the following terms shall have the meanings provided herein unless the context clearly indicates otherwise:

- **Act:** Refers to the Idaho Development Impact Fee Act codified in Idaho Code 67-8201 et seq.
- **Agreement:** Denotes the City of Roberts / Roberts Fire District Intergovernmental Agreement and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District System Improvements.

- Roberts Fire District Capital Improvements Plan: The most recent Impact Fee Study and Capital Improvements Plan adopted by the Roberts Fire District.
- City: The City of Roberts, Idaho.
- Impact Fees: Fees collected from new development to fund system improvements as defined by the Act.
- System Improvements: Capital improvements to public facilities identified in the Capital Improvements Plan designed to provide service to a service area as defined in the Act.

SECTION 4: COLLECTION OF IMPACT FEES FOR ROBERTS FIRE DISTRICT The City shall collect Impact Fees from all new developments within the City boundaries for capital improvements to the Roberts Fire District as determined by the Roberts Fire District Capital Improvement Plan. The fees, as determined by the Roberts Fire District, shall be set at \$500 for each new residential unit and \$.05 per sq. foot for each new retail or commercial unit built in the City.

SECTION 5: EXPENDITURE OF IMPACT FEES FOR ROBERTS FIRE DISTRICT All collected Impact Fees shall be deposited into the appropriate Roberts Fire District bank account, minus administrative costs collected by the City. These funds shall be used exclusively for the system improvements as outlined in the Roberts Fire District Capital Improvements Plan.

SECTION 6: ADMINISTRATION AND REPORTING The administration and performance of the collection and expenditure of impact fees shall be under the direction of the City Clerk. The City shall maintain accurate financial records and provide annual reports detailing the receipt and expenditure of all impact fees.

SECTION 7: PENALTY Any person found to be violating any provision of this Ordinance shall be guilty of a misdemeanor. Additionally, any person violating any provision of this Ordinance shall become liable to the City for any expense, loss, or damage occasioned by the City by reason of such violation.

SECTION 8: GENERAL IMPACT FEES The Mayor of Roberts is authorized to organize a development impact fee advisory committee as outlined in Idaho Code 67-8206, for the purpose of developing a capital improvement plan for the City. Upon completion of that process and adherence to all public notice requirements, upon the approval of the capital improvement plan by the City, the Mayor is authorized to prepare and present a Development Impact Fee Ordinance in accordance with Idaho Code 67-8204.

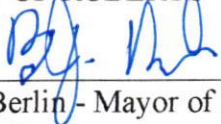
SECTION 9: REPEALER CLAUSE All ordinances or parts thereof which are in conflict herewith are hereby repealed.

SECTION 10: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared unconstitutional or invalid by the courts, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 11: EFFECTIVE DATE This Ordinance shall be in full force and effect from the date of passage, publication, and signature of the Mayor according to law.

PASSED AND ADOPTED BY THE CITY OF ROBERTS MAYOR AND CITY COUNCIL on 13 of August 2024.

CITY OF ROBERTS

By: 
B.J. Berlin - Mayor of Roberts

Attest: 
April Galbraith - City Clerk

