



City of Klamath Falls
Private Development
COST RECOVERY PAYMENT AGREEMENT

The Agreement is between the:

City of Klamath Falls
226 South Fifth Street
Klamath Falls, OR 97601

Owner/Developer:
Address:
Phone:
Contact Person:
Email:

("City") (hereafter referred to as "Owner" in this Agreement)

and applies to the following project:

Project Name (hereafter referred to as "Private Development"):

City Master File #:

Section 1. PAYMENT OF FEES

1(a) Payment of Fees: The City operates under a cost recovery system for private development. The Owner shall be responsible to pay the City for ALL design/construction plan reviews, inspections, outside consultants hired by the City and any other City services provided that relate to the Private Development.

1(b) Base Fee or Deposits: Base fees or deposits may be charged to the Owner up front. The base fees or deposits reflect anticipated costs for City staff and/or outside consultant's time, as well as any other anticipated costs to be incurred with providing City services to the Private Development.

1(c) If the City, in its sole discretion, does not charge the Owner a base fee or deposit up-front for these anticipated costs, or if the cost for actual services provided exceeds the base fee or deposit remitted by the Owner, the City shall bill the Owner for the excess City staff and/or outside consultant's time, as well as any other associated costs incurred with providing City services, as permitted hereunder.

Section 2. INSPECTIONS AND OTHER SERVICES

2(a) City Inspections: The City shall provide inspection services, at Owner's expense, for the installation of all infrastructure improvements to be dedicated to the City, the installation of public sidewalks, and monitoring other work as necessary and determined by the City for the Private Development.

2(b) Other City Services: The City, at its sole discretion, shall provide other necessary services related to the Private Development, as requested by and at Owner's expense. Examples of other engineering, materials and

City Master File #: City of Klamath Falls Owner's Initials:
Cost Recovery Payment Agreement
Page 1 of 3

services provided by the City could include, **but are not limited to** the following: (i) Design/construction plan reviews, project documentation and legal reviews; (ii) Any costs associated with third party testing or review entities; (iii) City staff time and materials for installation of telemetry equipment, street signs, striping (if any) etc.; and (iv) Facility training by manufacturers, design engineers, etc.

City inspections and other services are not exhaustive; therefore, concealed or latent defects may not be identified. The City shall not assume any responsibility for loss or damage due to poor workmanship or quality of materials, unless provided and installed by the City.

Section 3. SAFE ACCESS

3(a) Owner shall at all times provide the City and its authorized agents ingress and egress within the Private Development for the purpose of performing inspection services, necessary reviews, and for the purpose of the City installing additional infrastructure, if applicable. Subject to Section 3(b), the Owner shall be solely and completely responsible for conditions of the work site, including safety of all persons and property, during performance of the work. The Owner shall maintain the work site and perform the work in a manner which meets applicable statutory and common law for the provision of a safe place to work. This requirement shall apply continuously and not be limited to normal working hours and applies to any Owner-controlled workshops or plants where work related to the Private Development is being conducted or where materials are stored or prepared.

3(b) Owner shall not be responsible for any damage or liability to the extent arising from the gross negligence of the City or any consultants hired by the City.

Section 4. DISPUTED BILLING

4(a) Owner shall notify the City in writing, within 30 calendar days following receipt of invoice, regarding any dispute the Owner may have regarding the validity of any bill sent to the Owner by City. Failure to comply with this time frame may, if research of billing information is requested, result in additional charges for clerical time spent and City may bill Owner at City's standard rates. The City will respond to disputed billings within 30 days of notice of dispute or, if outside consultants'/contractors' invoicing is involved, as soon as possible. For amounts disputed, but ultimately determined to be valid, the City will assess rebilling fees and finance charges at 10% per annum for all past due amounts.

Section 5. FINAL ACCEPTANCE

5(a) Construction Plan Acceptance: Owner must pay to the City all reimbursable construction design plan review fees before the City will sign the construction design plans and allow construction of the Private Development to proceed.

5(b) Final Project Acceptance: Upon completion of the Private Development, Owner must pay to the City all reimbursable fees and costs associated with the Private Development before the City will issue final written acceptance of the Private Development.

Section 6. MISCELLANEOUS

6(a) The City shall act in good faith and with due diligence in conducting its review, inspection, approval, and other activities contemplated under this Agreement.

6(b) All fees and expenses passed through or assessed to Owner under this Agreement shall be reasonably incurred, performed by appropriately experienced and licensed professionals

6(c) Prior to hiring outside consultants, the City shall give Owner written notice thereof for Owner's approval, which approval shall not be unreasonably withheld or delayed. The owner may request an estimate of anticipated fees prior to providing approval, if so desired.

City Master File #:

City of Klamath Falls
Cost Recovery Payment Agreement
Page 2 of 3

Owner's Initials:

6(d) Notwithstanding anything in this Agreement to the contrary, the City (and anyone acting on its behalf or at its direction) shall at all times abide by any reasonable security and safety rules promulgated by Owner for the Private Development.

The terms of this Agreement are hereby accepted and effective this _____ day of _____, 20_____.

CITY

Signature: _____

Print Name: _____

OWNER/DEVELOPER

Signature: _____

(Signature must be that of owner listed on page 1)

Print Name: _____

>>>Attach proof of signing authority

Billing information if other than owner:

Name: _____

Address: _____

Phone: _____ Contact Person: _____

Email: _____

City Master File #:

City of Klamath Falls
Cost Recovery Payment Agreement
Page 3 of 3

Owner's Initials:

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DEVELOPMENT SERVICES— PLANNING FEE SCHEDULE

CITY OF KLAMATH FALLS
DEVELOPMENT SERVICES
226 South Fifth Street
Klamath Falls, OR 97601
Phone: (541) 883-4950



FEE SCHEDULE DESCRIPTION	FEE
Annexation	\$500
Appeals	\$300
Change of Zone	\$1500
Conditional Use Permit	\$750
Condominium Plat, Tentative	\$350
Condominium Plat, Final (fee + \$25 per building)	\$350
Design Review, Major	\$600
Design Review, Minor	\$300
Fence Permit	Free
Flood Hazard Permit	\$175
Nonconforming Use Exception	\$175
Partition, Tentative	\$750
Partition, Final	\$200
Property Line Adjustment	\$300
Residential Plan Check (new – up to 4 units)	\$75
Residential Plan Check (addition)	\$50
Subdivision, Tentative	\$1500
Subdivision, Final (fee + \$12 per lot)	\$300
Sign Permit	\$75
Text Amendment	\$1500
Urban Growth Boundary Amendment	\$2000
Vacation	\$600
Variance, Major	\$600
Variance, Minor	\$300

Note: The above fee schedule does not include costs incurred by the City relating to the provision of legal notices, including but not limited to newspaper publication and mailed notices. Such costs shall be billed to the applicant and shall be paid within 30 days of billing. Failure to pay such billing shall render any action taken relative to the application null and void. Mailing notices cost the price of postage + \$.10. The cost for a published notice is the exact amount billed by the publisher.

Effective: April 1, 2019

DEVELOPMENT SERVICES— ENGINEERING FEE SCHEDULE

CITY OF KLAMATH FALLS
DEVELOPMENT SERVICES
226 South Fifth Street
Klamath Falls, OR 97601
Phone: (541) 883-4950



Base fees are to be paid at the time of application. Final fees are to be paid prior to permit issuance unless other arrangements are agreed upon with the City Finance Department. Not all projects are subject to all three types of fees; nevertheless, final fees will be determined at the time of plan approval notification.

1 DEDICATED INFRASTRUCTURE CONSTRUCTION—PLAN REVIEW, PERMITTING ADMINISTRATION, AND INSPECTION FEE SCHEDULE:

For projects that include work in the public right of way and/or will require public infrastructure improvements (e.g. subdivisions, water/wastewater/storm infrastructure, excavation, curb cut and driveway, new sidewalks, fire hydrants, private utilities, etc.)

Cost of Improvement(s)	Plan Review/Permitting Administration/Inspection Fees
\$0 to \$2,500	\$375¹
\$2,501 to \$10,000	\$375 + 11% over \$2,500
\$10,001 to \$20,000	\$1,200 + 9% over \$10,000
\$20,001 to \$50,000	\$2,100 + 8% over \$20,000
\$50,001 to \$80,000	\$4,500 + 7% over \$50,000
\$80,001 to \$100,000	\$6,600 + 6% over \$80,000
\$100,001 to \$300,000	\$7,800 + 5% over \$100,000
\$300,001 to \$500,000	\$17,800 + 3% over \$300,000
\$500,001 to And Over	\$23,800 + 1% over \$500,000

The above fees are based on an engineer's estimate or licensed contractor bid. A standard level of care for inspection services is included within the fee. Additional services for reinspection of construction activities may be billed on an hourly rate. **Note:** Voluntary curb and sidewalk replacement is free.

2 EROSION AND SEDIMENT CONTROL FEES:

The following fees are for on-site private excavation or filling operations.

Cubic Yards of Fill or Excavation	Associated Fee
Less than 50 cubic yards	\$0
50 - 250 cubic yards (small sites)	\$255
Greater than 250 cubic yards (large sites)	\$455

3 TRANSPORTATION, STORM WATER, AND OTHER RELATED FEES:

- Transportation – **\$510 base fee¹** + \$3,555* deposit if required.
- Private storm water – **\$350 base fee¹** + \$1,500* deposit if required.
- Other (Utility modeling, Geotech review, etc.) – \$2,500* deposit if required
- Variance reviews for city engineering standards – \$340 per infrastructure
- Revocable license & encroachment permit review – \$145 plus recording fees
- Obstruction of public way permit review = no fee.

*Monetary deposit or execution of a cost recovery payment agreement is required in the event that a third-party consultant review is deemed necessary. Consultant invoices will be increased by 5% for administrative processing.

¹ The base fees are due upon first Engineering Plan Review submittal. At the time of submittal, the applicant must also submit a preliminary Engineer's Estimate or licensed contractor bid of costs associated with proposed dedicated infrastructure.