

**TOWN OF COLCHESTER SELECTBOARD**  
**P.O. Box 55**  
**Colchester, VT 05446**

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**CERTIFICATE OF AMENDMENT**

We, the Colchester Selectboard, hereby certify that pursuant to Chapter 1, Section 104 through 109, of the Colchester Town Charter, held a public hearing, and adopted the following amendment to Chapter 6 ½ Fees for Permits and Licenses Generally.

**Bold – to be added**  
~~Strikethrough – to be deleted~~

**Chapter 6 1/2 FEES FOR PERMITS AND LICENSES GENERALLY<sup>1[1]</sup>**

**Art. I. In General, §§ 6 1/2-1--6 1/2-19**

**Art. II. Impact Fees, §§ 6 1/2-20--6 1/2-27**

**ARTICLE I. IN GENERAL**

**Sec. 6 1/2-1. Purpose.**

The purpose of this chapter is] to insure that the taxpayers do not bear the costs involved in the areas of development, public notices, stenographic records, investigations and inspections. ~~It is not intended that the town make money on these fees, but simply that the town not have to underwrite the cost of administrative services.~~

(Ord. of 7-26-77)

**Sec. 6 1/2-2. Title.**

This chapter shall be known and entitled as an "Ordinance regulating fees for permits and licenses and providing penalties for violations thereof in the Town of Colchester, County of Chittenden, State of Vermont."

(Ord. of 7-26-77)

**Sec. 6 1/2-3. Definitions.**

For the purpose of this chapter the following terms, phrases, words, and their derivatives shall have a meaning as given below:

- A. Town is the Town of Colchester.
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- B. Selectmen is the board of selectmen of the Town of Colchester.
  - C. Administrative officer is the zoning administrator for the Town of Colchester.
  - D. Health officer is the legally designated health officer of the Town of Colchester or his authorized representative.
  - E. Town manager is the town manager for the Town of Colchester or his agent or representative.
  - F. Permit is a written document issued by the Town of Colchester giving a designated person permission to construct, alter or renovate.
  - G. License is a written document issued by the Town of Colchester to a designated person or corporation granting permission to operate or conduct business.
- (Ord. of 7-26-77)

**Sec. 6 1/2-4. Fees enumerated.**

The following fees shall be charged for the purposes indicated:

**1. Building Permits**

A. New Construction (includes additions):

- 1) **Residential (single-family and duplex dwellings) base fee \$75 (includes \$20.00 recording fees) and:**
  - a) **\$.44 per square foot finished space**
  - b) **\$.22 per square foot unfinished space**
- 2) **Commercial base fee \$75 and \$.56 per square foot (includes \$20.00 recording fees)**

~~One and two family dwellings — Building Permit: As per the following schedule based on slab on grade:~~

<u>SIZE OF DWELLING (SQ. FT.)</u>	<u>BASE FEE</u>	<u>FEE (\$) PLUS BASEMENT</u>
(1) 1000 sq. ft. or less	\$354.00	\$108.00
(2) 1001 - 1500	528.00	163.00
(3) 1501 - 2000	705.00	217.00
(4) 2001 - 2500	881.00	271.00
(5) 2501 - 3000	1058.00	326.00
(6) 3001 - 3500	1232.00	380.00
(7) 3501 - 4000	1409.00	434.00
(8) 4001 - 4500	1587.00	487.00
(9) 4501 - 5000	1763.00	543.00
(10) 5001 or greater	1940.00	597.00

ATTACHMENTS

- ~~One stall garage: thirty two dollars (\$32.00)~~
- ~~Two stall garage: sixty four six dollars (\$64.00)~~
- ~~Three stall garage: ninety seven dollars (\$97.00)~~

~~b. Multifamily dwellings, commercial and industrial structures, includes all new construction and additions — Building Permit: As per the following schedule:~~

FLOOR AREA X FEE/SQ. FT. = PERMIT FEE				
		Masonry	Steel	Wood
A	Assembly	\$0.80/sf	\$0.76/sf	\$0.63/sf
B	Business	\$0.60/sf	\$0.51/sf	\$0.44/sf
E	Educational	\$0.66/sf	\$0.56/sf	\$0.51/sf
F	Factory	\$0.37/sf	\$0.30/sf	\$0.23/sf
I	Institutional	\$0.72/sf	\$0.64/sf	\$0.59/sf
M	Mercantile	\$0.51/sf	\$0.45/sf	\$0.35/sf
S	Storage	\$0.34/sf	\$0.29/sf	\$0.21/sf
R.	Hotel/Motel/Multi family	\$0.66/sf	\$0.56/sf	\$0.51/sf

**B. Decks, demolition or relocation –building permit: \$110** ~~\$56.00~~ (includes \$20.00 recording fees).

**C. Swimming Pools, sheds, or fences \$75** (above-ground with no decking, etc.): \$50.00 (includes \$20.00 recording fees) ~~Swimming Pools (in-ground and all pools with decking, patio, concrete, etc.): \$120 (includes \$20.00 recording fees)~~

**D. All other construction, alterations, additions renovations and repairs: eight dollars (\$8.00) per thousand (\$1,000) of estimated construction cost with a minimum of \$75** ~~eight dollars (\$8.00) per thousand (\$1,000) of estimated construction cost with a minimum of \$56.00~~ (includes \$20.00 recording fees). **In the case of construction projects that include decks, demolition, relocation, pools, sheds or fences as part of a combined application this fee shall be utilized instead of summing up the separate fees listed herein.**

**E. Site development; (including but not limited to street construction, sidewalks, sanitary sewers, stormwater sewers, water lines, parking lots and all other general site work): building permit: eight dollars (\$8.00) per thousand (\$1,000) of estimated construction cost with a minimum of \$75** ~~eight dollars (\$8.00) per thousand (\$1,000) of estimated construction cost with a minimum of \$60.00~~ (includes \$20.00 recording fees).

**F. Temporary Certificates of Occupancy \$75. If a permanent Certificate of Occupancy is not obtained by the expiration of the temporary certificate or if occupancy is taken prior to the issuance of any certificate, an additional fee of \$100 shall be paid prior to the issuance of a permanent certificate.** ~~for permits over one (1) year: One hundred dollars (\$100.00) —No charge is received within one year of approval~~

**G. Failed Inspection Fee: \$40 per occurrence (shall be paid prior to issuance of a Certificate of Occupancy)**

2. **Local Wastewater Permit: \$110 (tank replacement)** ~~Subsurface disposal permit (primary or replacement). Two hundred dollars (\$200.00).~~
3. **State Water & Wastewater Permit (includes recording fees):**
  - A. **Projects 0-≤ 560 gallons per day \$350\***

- B. Projects 560 <= 2,000 gallons per day \$700\***
- C. Projects 2,000 <= 6,500 gallons per day \$2,000\***
- D. Projects 6,500 <= 10,000 gallons per day \$5,000\***
- E. Projects 10,000 + gallons per day \$10,000\***
- \* Add \$200 if Class B system**

- 4. State Water Wastewater Permit Renewal: \$100 (includes recording fees)**
- 5. State Water Wastewater Permit Minor Amendment (no increase in flow and no construction) \$150 (includes recording fees)**
- 6. Development Review Board Applications (all applications shall be submitted in PDF form or subject to applicable third party consultant fees to digitize as provided herein):**
  - A. Conditional use/variances/appeals – **\$280 (includes legal warning & \$10 recording fee) or \$140 for conditional use application submitted concurrently with a site plan application (includes legal warning & \$10 recording fee)** ~~one hundred fifty three dollars (\$153.00)~~  
All zoning application fees include the legal notice fee in the local Colchester paper as well as all recording fees. If, due to time constraints, an applicant chooses to advertise in the Burlington Free Press, the applicant shall be required to pay the entire fee charged by the Free Press.
  - B. Subdivision **Applications Review:**
    - 1) Sketch Plan **Application** review: **\$250** ~~one hundred dollars (\$100.00)~~
    - 2) Preliminary Plat **Application** Review: Base fee **\$350** ~~two hundred fifty three dollars (\$253.00)~~ plus ~~one hundred dollars (\$100.00)~~ per lot/unit **(includes legal warning & \$10 recording fee)** plus:
      - a) Major residential subdivision fee of ~~one hundred dollars (\$100.00)~~ per lot/unit
      - b) Commercial or industrial or PUD fee of ~~one hundred twenty five dollars (\$125.00)~~ per acre or \$125 per lot/unit, whichever is greater
    - 3) Final Plat **Application** Review:
      - a) Major subdivision base fee **\$350** ~~two hundred twenty eight dollars (\$228.00)~~
      - b) Minor subdivision base fee **\$350** ~~two hundred fifty three dollars (\$253.00)~~ plus ~~one hundred dollars (\$100.00)~~ per lot/unit **(includes legal warning & \$10 recording fee)**
      - c) **Final Plat Amendment (if Final Plat approval issued within past 5 yrs.): \$350 (includes legal warning & \$10 recording fee)**
  - C. Site Plan Applications:
    - 1) Residential - single family or duplex dwellings: ~~one hundred three dollars (\$103.00)~~
      - a) **Seawall \$320**
      - b) **Certificate of Appropriateness \$275**
      - c) **Administrative Amendment \$120**
      - d) **All others \$230**
    - 2) Commercial/industrial/PUD/residential multi-family: ~~three hundred three dollars (\$303.00)~~, plus ~~twenty five dollars (\$25)~~ for digitized or ~~seventy five dollars (\$75)~~ for non-digitized
      - a) **Amendment (if site plan approval issued within past 5 yrs.) \$270**

- b) **Administrative Amendment \$150**
- c) **In conjunction with Final Plat Application \$150**
- d) **All others \$350**

3) ~~Site Plan Waiver:~~

- ~~–Single family or duplex dwellings – sixty three dollars (\$63.00)~~
- ~~–Commercial/industrial/PUD/residential multi-family – one hundred three dollars (\$103.00)~~

4) ~~Site Plan application for Final Plat (in conjunction with Final Plat review for Planned Unit Developments and Planned Residential Developments): one hundred fifty three dollars (\$153.00)~~

All ~~site plan and subdivision~~ **conditional use, variance, appeals, and preliminary and final plat** application fees include the **average \$50** legal notice fee in the local Colchester paper as well as all recording fees. If, due to time constraints, an applicant chooses to advertise in the Burlington Free Press, the applicant shall be required to **pay in addition to the application fee the difference between the average legal notice fee and the actual cost of the advertisement** ~~pay the entire fee charged by the Free Press.~~

- D. Recess of Development Review Board hearings: **\$100** ~~50.00~~ for each recess requested by applicant.
- E. **Third Party Review (including but not limited to** engineering and legal reviews): Applicants for all permits are responsible for costs of ~~reviews~~ **services** conducted by third party consultants/experts requested by the Town.

7. Boundary line adjustments: ~~\$115.00~~ **\$200** base fee, plus: \$50.00 surcharge for mylars without digital copy (**includes \$75 wastewater exemption review letter and recording**).

8. Mylar recording fee: ~~fifteen dollars (\$15.00)~~.

9. Sign permit:

- A. Permanent sign ~~Sixty dollars (\$7560.00)~~ (includes \$10.00 recording fee).
- B. Temporary sign permit **\$208** per month or \$150 annually (~~includes \$10.00 recording fee~~).

10. ~~Renewal of Permit Extensions: Fifty three dollars (\$53.00)~~ **\$20** for renewals of all building, zoning and septic permits **and \$100 for all Development Review Board permits** (includes \$10.00 recording fee).

11. Compliance/disclosure letters:

- A. ~~\$100.00 for new letters~~ (**includes file review**).
- B. **\$25.00** for updates **to letters less than two years old (includes file review)**.
- C. **\$15.00 all other zoning file reviews related to refinancing or sales.**

12. Zoning permits: ~~Fifty dollars (\$50.00) (includes \$20.00 recording fees)~~

- A. Administrative permits for home occupations and home businesses: ~~Twenty six dollars (\$26)~~ **\$25 (includes \$10 recording fee but** does not include construction fee).

- B. Conversion to year-round – permit fee: ~~one hundred dollars (\$100.00)~~ **\$150 (includes \$20 recording fee but does not include construction fee).**
- C. Accessory Apartment: ~~one hundred dollars (\$100.00)~~ **\$150 (includes \$20 recording fee but does not include construction or impact fees).**
- D. All other zoning permits **\$65.00 (includes \$20 recording fee but does not include construction fee)** ~~Fifty dollars (\$50.00) (includes \$20.00 recording fees).~~

13. GIS fees:

- (a) ~~3.5 inch diskettes: one dollar (\$1.00) (maximum 5 disks)~~
- A. CD: ~~twenty five dollars (\$25.00).~~
- B. 8.5" by 11" **or 11" x 17"** print-out: ~~\$5) one dollar (\$1.00).~~
- (d) ~~11" x 17" print-out: five dollars (\$5.00)~~
- (e) ~~22" by 34" print-out: fifty dollars (\$50.00)~~
- C. Custom print-outs or projects: ~~twenty five dollars (\$25.00)~~ base fee (includes first 15 minutes), plus ~~fifty cents (\$0.50)~~ per minute after the first 15 minutes.

14. Petitioned or Requested Amendments to Comprehensive Plan or Zoning Regulations (when filed outside annual update period prescribed in the Master Plan): ~~Five hundred dollars (\$500.00)~~ each for Planning Commission and Select Board hearings. Applicant or petitioner must also pay ~~three hundred dollars (\$300.00)~~, if request is for a zone change requiring preparation of impact statement pursuant of Title 24, VSA, Section 4384(c) or 24 VSA, Section 4403(c) and Section 2.03(D) of Colchester's Zoning Regulations.

**15. Planning & Zoning Photocopies & Prints: \$.15 per page (payment shall include discarded pages).**

16. Penalties. Permits issued after construction or change of use (includes zoning/building permit, site plan, conditional use, variance, home occupation, etc.): Penalty fee of two (2) times the normal permit cost will be charged.

17. Carter's permit. Sixty dollars (\$60.00) plus thirty-five dollars (\$35.00) per vehicle.

18. Amusement license.

- A. Full term: Eighty dollars (\$80.00).
- B. Limited term: Fifty-five dollars (\$55.00).

19. Borrow pits. One hundred seventeen dollars (\$117.00) (includes ~~\$10 seven dollar (\$7.00)~~ recording fee)

20. Sewer connection fee. Permitted allocation multiplied by the debt retirement rate.

21. Excavation within public right-of-way.

- A. Major work such as installation of public utilities along, or excavation across, the public highway: Five hundred dollars (\$500.00) plus escrow to cover full restoration cost.
- B. Other minor work within the right-of-way: One hundred dollars (\$100.00).

**22. A 2% surcharge shall be applied to all fees paid for with credit and/or debit cards.**

(Ord. of 1-12-88; Ord. of 3-14-89; Ord. of 9-12-89; Ord. of 5-22-90; Ord. of 6-17-95; Ord. of 2-13-96; Ord. of 2-25-97; Ord. of 7-8-97; Ord. of 3-24-98; Ords. (two) of 12-22-98; Ord. of 4-8-03; Ord. of 2-22-05; Ord. of 2-27-07; **Ord. of 6-26-11**)

**Cross References:** Borrow pits and quarries, Ch. 3; building permits and fees, § 4-20 et seq.; subdivisions, App. A; recreation fee, App. A, § 411.2; zoning, App. B; sign permit, App. B, § 1708.

**Sec. 6 1/2-5. Permits and licenses required.**

No activity shall be commenced within the areas covered by this chapter without a permit or license issued by the board of selectmen or administrative officer of the Town of Colchester. Municipal organizations are exempt from fee enumerated herein.

(Ord. of 7-26-77; Ord. of 5-22-90; Ord. of 6-27-95)

**Sec. 6 1/2-6. Separability.**

The invalidity of any provision of this chapter shall not invalidate any other part.

(Ord. of 7-26-77)

**Sec. 6 1/2-7. Penalties and fines.**

Any person or corporation not obtaining the proper permit or license in violation of this chapter shall be subject to a fine pursuant to chapter 1, section 1-9(b). If any violation continues, each day's violation shall be deemed a separate violation.

(Ord. of 7-26-77; Ord. of 9-10-96)

**Sec. 6 1/2-8. Variances and waivers.**

Where the board of selectmen finds that extraordinary and unnecessary hardships may result from strict compliance with this chapter or where there are special circumstances, they may vary this chapter in the public interest.

(Ord. of 7-26-77)

**Sec. 6 1/2-9. Delinquent taxes.**

No permits or licenses will be issued until such time as all property taxes are current.

(Ord. of 6-27-95)

**Sec. 6 1/2-10. Appeals.**

Appeals from the requirements of this chapter shall be heard and decided by the board of selectmen.

(Ord. of 6-27-95)

**Sec. 6 1/2-11. Permit to obstruct street or sidewalk; fee.**

The fee for a permit for a week or part thereof shall be forty dollars (\$40.00).  
(Ord. of 10-10-95; Ord. of 4-8-03)

**Sec. 6 1/2-12. Permits for curb cuts; fee.**

The fee for each curb cut and/or driveway application/permit shall be forty dollars (\$40.00).  
(Ord. of 10-10-95; Ord. of 4-8-03)

**Secs. 6 1/2-13--6 1/2-19. Reserved.**

**ARTICLE II. IMPACT FEES**

**Sec. 6 1/2-20. Purpose.**

The purpose of this article is to:

- (1) Provide for the payment by beneficiaries of new development of their proportionate share of the cost of municipal and school capital projects which benefit or are attributable to them;
- (2) To require the beneficiaries to pay for or mitigate the negative effects of construction; and
- (3) To provide for the proper accounting for and expenditure of impact fees collected by the Town of Colchester.

(Ord. of 11-11-97)

**Sec. 6 1/2-21. Authority.**

This article is adopted pursuant to 24 V.S.A. chapter 59 and 24 V.S.A. chapter 131 and shall be known as the "Colchester Impact Fee Ordinance." The terms used in this article shall have the same meanings as those terms set forth in 24 V.S.A. chapter 131.

(Ord. of 11-11-97)

**Sec. 6 1/2-22. Compliance with the impact fee statute.**

The formula for each impact fee imposed by this article is intended to comply with the provisions of 24 V.S.A. chapter 131. Notwithstanding anything to be contrary in this article, each fee imposed by this article shall be equal to or less than the portion of the capital project which will benefit or is attributable to the development for which the permit is being issued and shall not include costs attributable to the operation, administration, or maintenance of the capital project. The fees shall be based upon a formula which reflects the level of service for the capital project to be funded and a means of assessing the impact associated with the development, such as square footage or numbers of bedrooms.

(Ord. of 11-11-97)

**Sec. 6 1/2-23. Establishment of impact fees.**

(a) *Recreational impact fee.* A recreational impact fee shall be paid for all land development in the Town of Colchester that includes the construction of one or more new residential dwelling units and/or the conversion of an existing structure, in whole or in part, for use as a residential dwelling unit including those converted from seasonal to nonseasonal use as defined in the Colchester Zoning Regulations. The recreation impact fee shall be payable according to the following formula: Seven hundred thirty-five dollars (\$735.00) per each new or additional residential dwelling unit including those converted from seasonal to nonseasonal use as defined in the Colchester Zoning Regulations.

(b) *Educational impact fee.* An education impact fee shall be paid for all land development in the Town of Colchester that includes an increase in the number of residential bedrooms on the land, including but not limited to construction of new buildings and renovations and additions to existing buildings, the installation of mobile homes and the conversion of dwelling units from seasonal to nonseasonal use as defined in the Colchester Zoning Regulations. The educational impact fee shall be payable according to the following formula: Six hundred dollars (\$600.00) per each new or additional bedroom including those converted from seasonal to nonseasonal. The enactment of any new impact fee or change in the amount of an existing fee shall be established by resolution or by ordinance. If by resolution, the resolution shall be adopted in the same manner required for the adoption of an ordinance under 24 V.S.A. chapter 59.

(Ord. of 11-11-97)

**Sec. 6 1/2-24. Payment of fees.**

(a) Prior to issuance of a zoning permit for land development subject to payment of impact fees under this article, the permit applicant shall pay to the zoning administrator the impact fee or fees established pursuant to this article.

(b) The select board may accept off-site mitigation in lieu of one or both of the impact fees imposed by the article or as compensation for damage to important land such as prime agricultural land or important wildlife habitat.

(c) The select board may accept payment of fees pursuant to a reasonable installment schedule with a reasonable rate of interest; the select board may require a letter of credit to guarantee future payments of off-site mitigation.

(Ord. of 11-11-97)

**Sec. 6 1/2-25. Appeals.**

Appeals from the requirements of this article shall be made to the select board.

(Ord. of 11-11-97)

**Sec. 6 1/2-26. Accounting; refund.**

Upon receipt of fees, the zoning administrator shall promptly deliver to the town treasurer all fees collected. The treasurer shall maintain the fees in a separate interest bearing account for

impact fees and shall enter in a register the name of the payor, the amount of each fee, the land development for which each fee is collected, the capital project(s) for which the fee is intended, and the expenditure of the fee on a capital project, if any. Annually, the treasurer shall render an accounting showing the total amounts collected, the sources of the fees, the capital projects for which each fee was expended, and the amount of impact fees spent, the total amount spent on each project, and a breakdown of the sources of funding for each project. If the fee is not spent on the capital project(s) for which the fee was intended within six (6) years of when the fee was collected, upon the request by the owner of the property for which the fee was paid pursuant to 24 V.S.A. section 5203(e), the municipality shall refund the owner's proportionate share of the fee.

(Ord. of 11-11-97)

**Sec. 6 1/2-27. Applicability of this chapter.**

All the general provisions of this chapter shall apply to this article II.

(Ord. of 11-11-97)

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<sup>2[1]</sup> **Editors Note:** Ord. of July 26, 1977 amended this Code by adding provisions designated as Ch. 13. In order to preserve the alphabetical sequence of chapters within the Code, and in accord with the preface to this volume (see page V), the editors have redesignated such provisions as Ch. 6 1/2.

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Signature Page for adopted Chapter 6 ½ Fees for Permits and Licenses Generally.

DATED this 24<sup>th</sup> day of July, 2012. EFFECTIVE the 24<sup>th</sup> day of September, 2012.

**COLCHESTER SELECTBOARD**

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**L. Richard Paquette**

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**Marc Landry**

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**Nadine Scibek**

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**Herbert J. Downing**

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**Kathrine R. Niquette**