



**CITY OF DANBURY**  
**OFFICE OF THE CORPORATION COUNSEL**  
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PLEASE REPLY TO:

January 26, 2005

Hon. Mark D. Boughton  
Hon. Members of the Common Council  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

Re: Ordinance revision  
Sec. 11-2(b)  
Engineering Land Use Review Fees

Dear Mayor and Council Members:

Last year you adopted the provisions of section 11-2 of the Code of Ordinances. That section established fees, which were designed to recover the administrative expense associated with engineering review of land use applications. As adopted, that section linked one of these fees to resubmission of applications that had either been rejected by one of our land use agencies or withdrawn by the applicant.

The purpose of this fee was to discourage applicants from submitting flawed applications that required multiple reviews and resubmissions. It has become apparent that linking the fee to applications in this way did not achieve the desired result. In order to remedy this, we have prepared a revision to this section that will effectively link the fee not to withdrawn or rejected land use applications but to the engineering review itself.

Please consider the adoption of this ordinance amendment in the usual fashion. As usual, we will be available to answer any questions that you may have as you proceed with deliberations. Please feel free to contact me earlier should the need arise.

Sincerely,

Eric L. Gottschalk  
Deputy Corporation Counsel

cc: William J. Buckley, Jr., Director of Public Works  
Dena Diorio, Director of Finance  
Sean Hearty, Director of Permit Coordination



**ORDINANCE**  
**CITY OF DANBURY, STATE OF CONNECTICUT**  
**COMMON COUNCIL**

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Be it ordained by the Common Council of the City of Danbury:

THAT subsection 11-2(b) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 11-2. Land use application processing fees; subdivisions; engineering and fire marshal review.**

(b) *Engineering fees.* In addition to the general processing fees established connection with the issuance of permits, licenses or other approvals by the land use agencies identified in subsection (a) hereof, and in addition to the general subdivision processing fee established pursuant to subsection (d) hereof, whenever a review by the Engineering Division of the Danbury Department of Public Works is required in connection with the issuance of said permits, licenses and approvals, the applicant shall pay an additional processing fee to defray the costs of said review. Said additional processing fee shall be in the amount of three percent (3%) of the estimated cost of construction, but shall not exceed one thousand dollars (\$1000.00) nor be less than fifty dollars (\$50.00). In addition to the foregoing, the applicant shall pay an additional fee of three hundred dollars (\$300.00) for each and every review of revised or modified plans submitted by the applicant to the Engineering Division of the Department of Public Works.

**COPY SHOWING DELETIONS AND NEW LANGUAGE**

**Sec. 11-2. Land use application processing fees; subdivisions; engineering and fire marshal review.**

(b) *Engineering fees.* In addition to the general processing fees established connection with the issuance of permits, licenses or other approvals by the land use agencies identified in subsection (a) hereof, and in addition to the general subdivision processing fee established pursuant to subsection (d) hereof, whenever a review by the Engineering Division of the Danbury Department of Public Works is required in connection with the issuance of said permits, licenses and approvals, the applicant shall pay an additional processing fee to defray the costs of said review. Said additional processing fee shall be in the amount of three percent (3%) of the estimated cost of construction, but shall not exceed one thousand dollars (\$1000.00) nor be less than fifty dollars (\$50.00). ~~and in the amount of three hundred dollars (\$300.00) for any application that is withdrawn or rejected and subsequently resubmitted.~~ IN ADDITION TO THE FOREGOING, THE APPLICANT SHALL PAY AN ADDITIONAL FEE OF THREE HUNDRED DOLLARS (\$300.00) FOR EACH AND EVERY REVIEW OF REVISED OR MODIFIED PLANS SUBMITTED BY THE APPLICANT TO THE ENGINEERING DIVISION OF THE DEPARTMENT OF PUBLIC WORKS.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by ~~strike out~~.