

**RESOLUTION NO. 24-05**  
**ADOPTION OF UPDATED IMPACT FEES BY**  
**RATTLESNAKE FIRE PROTECTION DISTRICT**

**WHEREAS**, on February 24, 2004, the Board of Directors of the Rattlesnake Fire Protection District (the “District”) adopted an Impact Fee Resolution, establishing impact fees for imposition and collection upon development or redevelopment of real property within the boundaries of the District; and

**WHEREAS**, the District originally engaged the firm of BBC Research and Consulting (“BBC”) to determine the level of fees necessary to offset the impacts of growth by means of a demographic and economic study; and

**WHEREAS**, BBC has expertise in demographic and economic analysis necessary to establish a rational nexus between the impacts of growth on demand for emergency services and the needs of the District so as to maintain future levels of emergency response services, including medical transport, to its citizens; and

**WHEREAS**, the District re-engaged BBC to utilize current relevant data from 2024 available from the Elbert County, Colorado, Planning Office and other relevant sources, to develop recommendations for updating and potentially increasing impact fees at levels which are reasonable and necessary for maintaining current levels of emergency response services subject to growth-related impacts, where necessary for the health, safety and welfare of the citizens of the District, and citizens of the State of Colorado, which recommendations were issued in a report dated August 28, 2024; and

**WHEREAS**, the Board of Directors hereby finds and determines that the level of impact fees for both residential and non-residential development as recommended by the report of BBC, are reasonable and rationally related to growth-related impacts determined by reasonable projections for growth expected to occur within the District from the date hereof, going forward; and

**WHEREAS**, on September 23, 2024, the Board adopted updated impact fees by unanimous vote and made such updated impact fees applicable to all developments within the District effective October 1, 2024.

**NOW THEREFORE, BE IT RESOLVED:** by the Board of Directors of the Rattlesnake Fire Protection District, County of Elbert, State of Colorado:

1. Hereby ratified are revised and updated Impact Fees to be assessed against each and every real estate development planned to be built and new construction of any type to be built within the boundaries of the District.
2. The level of Impact Fees for both non-residential and residential development are recommended by the above-referenced study of BBC is hereby adopted:
  - a) \$2.32 per square foot of building for non-residential or commercial development.
  - b) \$5,475 per dwelling unit for residential development.

c) For purposes of this Resolution, the terms “non-residential” and “residential” as applied shall refer to the primary use of the property as determined in the sole discretion of the District, by reference, without limitation, to the Elbert County Zoning Code within whose jurisdiction for approval all such development or construction is located, the actual use of such development or construction, taking into account all relevant factors, including, without limitation, need and necessity for current level of services, patterns of building within the District, changes in land use and changes in legal obligations.

3. In addition to the standard Impact Fees imposed upon development within the District pursuant to terms of this Resolution, the District reserves the right to secure contributions from any Developer whose development proposal demands unique forms of emergency response services; for example: a development with structures exceeding 20 feet in height. Such unique contributions or payments therefore shall be in addition to the assessment of standard Impact Fees, subject to any statutory limitations.

4. The District hereby ratifies and re-adopts all other terms and conditions relating to Impact Fees previously adopted by the District and further ratifies adoption and imposition of such updated Impact Fees, in particular, including the effective date of October 1, 2024 which was initially adopted by the Board on September 23, 2024.

Resolved and ratified, this 25<sup>th</sup> day of November, 2024.

**RATTLESNAKE FIRE PROTECTION DISTRICT**

By: \_\_\_\_\_  
President