

Chapter 20
CITY FEES AND CHARGES

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20.01 PLANNING, ZONING AND DEVELOPMENT REVIEW FEES

A. FEES ESTABLISHED: There are hereby established fees for the review of development proceedings by the City. The term “development proceedings” shall mean:

1. Any petition or application filed to annex property to the City, or to process an annexation agreement or amendments to an annexation agreement;
2. Any petition or application filed for relief from or review of parameters of the Zoning Code;
3. Any petition or application to subdivide, resubdivide or otherwise plat property filed pursuant to the Subdivision Code;
4. Any petition or application filed to address issues relating to rights-of-way or easements, including but not limited to plats of dedication, plats of vacation or easement documents; and
5. Any other improvement or development of real property.

The term “review” shall include, but not be limited to: conducting hearings and meetings; processing, review, and preparation of documents; evaluation of drawings for Code compliance; legal, technical and professional review and consultation; field inspections and preparations; and similar consideration and review of proposed actions which involve the earthmoving of land, construction or alteration of buildings, provision of utilities or other public services, and uses and appearances of property. Said fees do not include building permit fees, which are governed by Section 20.06 herein.

B. PAYMENT OF FEES: Review fees are listed in Table A of the end of this Section 20.01 shall be due and payable to the City at the time of filing of an application or petition for the desired development proceeding. Said fees shall not be refundable. In the event the filing fee is paid by check and the check is returned to the City by the financial institution due to insufficient funds, the City shall suspend the review process for not less than six weeks. A cashier’s check that includes the required fees, a \$30 returned-check service charge, and any other costs that the City may incur thereby, shall be deposited with the City before the City resumes the review process.

Development proceedings initiated by the City (e.g. text amendments to the Zoning Code) are exempt from fees.

TABLE A

Planning, Zoning and Development Review (Hearing) Fees (non-refundable)	
Proceeding	Fee
<i>Annexation</i>	
Less than two acres	\$350
Over two acres	\$350 plus \$25 per acre
Zoning appeal	\$150
Zoning variation, residential	\$300
Zoning variation, non-residential	\$350
<i>Zoning map amendment</i>	
Less than 2 acres	\$350
Over 2 acres	\$350 plus \$25 per acre
Conditional use	\$500
<i>Subdivision</i>	
Less than 2 acres	\$350
Over 2 acres	\$350 plus \$25 per acre

20.02 REIMBURSEMENT OF FEES
(Amended Ord 2011-114, §3; Ord 2006-108)

A. DEPOSIT: In the event it is necessary for the City to obtain or furnish professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, traffic or drainage experts, inspectors, plan examiners, or other consultants, as well as public improvement inspections performed by qualified City staff, in connection with any petitioner’s request for the City to consider or otherwise take action upon any annexation, zoning change, subdivision development, planned development (PUD), dedication, vacation or easements or other improvement or development upon real property, then the petitioner and owner of the property shall be jointly and severally liable for the payment of such professional fees plus a service fee for each billing by the City to cover the City’s administrative expenses as determined by the City Council from time to time. At the time the petitioner requests action from the City, he will be required to deposit an amount with the City as listed on Table B at the end of this Section 20.02 as an initial deposit to be credited against fees and costs incurred for the above described services. The petitioner and owner are liable for and shall be billed for services and consultation rendered prior to the filing of an application or petition for a development proceeding.

B. **INVOICES:** The City shall send the petitioner regular invoices for the fees and costs incurred thus far, and the petitioner shall reimburse the City within 30 days of said invoice. At all times the petitioner shall maintain a balance equal to its deposit with the City.

C. **WITHDRAWALS AND DENIALS OF PETITIONS:** A petitioner who withdraws a petition may apply in writing to the City for a refund of his initial deposit. The City Council may, in its discretion, approve the refund less any actual fees and costs which the City has already incurred relative to the petition. In the event the City Council denies approval of any or all portions of a petition, a petitioner shall remain liable for all fees and costs which the City has incurred relative to the petition, and no refund of a deposit or deposit balance shall occur until such fees and costs have been paid.

D. **PROFESSIONAL FEES:** Any professional fees incurred as a direct or indirect result of the petitioner, owner or their agent requesting a professional opinion or otherwise requesting relief or assistance from the City, whether or not related to real property, shall be reimbursed in accordance with this Section if, in the sole discretion of the City, a professional opinion is desired or necessary.

E. **DEFAULT:** Upon the failure of the owner or petitioner to reimburse the City in accordance with this Section, the City shall send notice to the owner or petitioner, by certified mail, return receipt requested, that the deposit is in arrears. No action on any request made by the owner or petitioner will be acted upon by the City Council or by any other official, quasi-official or deliberative individual or body thereunder; and such request shall remain in abeyance until all outstanding fees are paid in full. Furthermore, if all outstanding fees are not paid in full and the deposit replenished pursuant to this Section, within 7 business days after the notice was mailed, the application shall be considered withdrawn by the owner or petitioner. Upon any failure to reimburse the City in accordance with this Section, the City may, in its discretion, elect to place a lien against any real property associated with the petitioner's request. Interest in the amount of 1½ percent per month shall accrue on all sums outstanding for 30 days or more. Such lien shall be in an amount equal to the outstanding amount owed to the City.

F. **ASSIGNING AUTHORITY:** The City Council and the designated City staff members are hereby authorized to assign requests for professional services to the City staff or to consultants as the City Council deems appropriate.

G. **IN HOUSE STAFF:** When any professional services contemplated by this Chapter are rendered by the City staff, then in such case the party making the request shall execute a Developers Agreement in the form attached to this chapter.

H. **REMEDIES:** The remedies available to the City as set forth hereinabove are non-exclusive and nothing herein shall be construed to limit or waive the City's right to proceed against any or all parties in a court of law of competent jurisdiction.

I. **AGREEMENT:** At the time the petitioner requests action from the City he will be required to enter into an agreement with the City that contains the parameters of this Section and found at the end of this Chapter 20.

J. REFUND: Any surplus funds in the account of the petitioner or owner after all costs are paid shall be returned after approval by the appropriate City staff or City Attorney, upon written request by the petitioner or owner.

K. PROFESSIONAL FEES INCURRED FOR INDIVIDUAL RESIDENTIAL PROPERTY: In the event it is necessary for the City to obtain professional services in connection with any work proposed for or done on an individual resident’s property, including but not limited to drainage, provision of utilities or other public services, landscaping or structural issues, the owner of the property shall be liable for the payment of such professional fees plus a service fee for each billing by the City to cover the City’s administrative expenses as determined by the City Council from time to time. Said professional fees shall include but are not limited to the costs of any consultation, review of drawings, field inspections and travel expenses. The provisions of Section 20.02-G of this Code also apply.

L. HIGHER DEPOSIT: Notwithstanding any of the provisions in this Section, the City, through its City Council, may require a higher deposit and a Reimbursement of Fees Agreement containing additional requirements of the petitioner for development proceedings or reviews after taking into account the following factors: i) scope of the development; ii) the acreage of the development; and iii) the anticipated expense of professional consultants including, but not limited to, engineers, land planners and attorneys, reasonably necessary to review the proposed development request. In addition, the City, through its City Council or attorneys, may negotiate other items relative to the review or development proceeding including, but not limited to, the use of specific consultants and/or attorneys, rates and budgets.

M. DEFFERAL OF CASH DONATIONS: Upon execution of a Developers Agreement in the form attached to this chapter, payment of required cash donations may be deferred from subdivision plat approval until issuance of a building permit.

TABLE B

Deposits Required for Reimbursement of Fees (Retained Personnel)	
Proceeding	Fee
<i>Annexation</i>	
Less than 2 acres	\$2,500
Over 2 acres	\$2,500 plus \$100 per acre
<i>Zoning map amendment</i>	
Up to 2 acres	\$2,500
Over 2 acres	\$2,500 plus \$100 per acre
Conditional use	\$400 - \$2,500, per staff recommendation
Zoning variation, residential	\$200
Zoning variation, non-residential	\$400

Subdivision or planned development, up to 2.0 acres	\$2,500
Subdivision or planned development, greater than 2.0 acres	\$2,500 plus \$100 per acre
Storm water management permit less than 20,000 sq. ft.	\$500
Storm water management permit more than 20,000 sq. ft. Less than 5 acres	\$2,500
Storm water management permit major development	Fee based upon engineers estimate
NOTE: These fees are not cumulative. Only the highest applicable deposit for a multi-part proceeding is required.	

20.03 DEVELOPMENT CASH CONTRIBUTION FEES
(Amended Ord. 2006-125, §3)

	Parks	Library	Fire
Final plat or planned development approval, per dwelling unit	\$750	\$200	\$300
Undeveloped residential lot already subdivided, per dwelling unit	\$750	\$200	\$300
Commercial, manufacturing building, per square foot			\$.10

At the end of each one-year period and beginning on January 1, 2007, the cash donations due, in accordance with the above chart, shall be adjusted upward by the percent, which the Chicago Area Consumer Price Index has moved upward since December 31, 2006, and every December 31 thereafter. For purposes of this paragraph, the price index to be used for comparative purposes shall be that index published for the annual average Chicago Area CPI-U, as published by the United States Department of Labor, Bureau of Labor Statistics (“Cash Contribution Amount”).

20.04 DEVELOPMENT FEE SCHEDULE

	Fee
Annexation: Except as otherwise provided herein, at the time of final approval and before recording and filing the ordinance annexing the property by the City, the following fees shall be assessed and paid by the petitioner or owner to the City.	
Single Family Residential	\$500 per gross acre of the lot, parcel or tract of land involved in the development proceeding.
Multiple Family Residential	\$500 per gross acre of the lot, parcel or tract of land involved in the development proceeding.
	\$500 per unit payable upon the issuance of the building permit
Commercial Property	\$150 per gross acre of the lot, parcel or tract of land involved in the development proceeding.
Industrial Property	\$100 per gross acre of the lot, parcel or tract of land involved in the development proceedings
Final Subdivision Platting:	\$500 per gross acre of the lot, parcel or tract of land being subdivided shall be paid by the petitioner or owner to the City. Said fee shall be paid at the time of final plat approval and before the recording and filing of the City ordinance approving any final plat of subdivision.
In the event the filing fee is paid by check and the check is returned to the City by the financial institution due to insufficient funds, the City shall suspend the review process for not less than six weeks. A cashier’s check that includes the required fees, a \$30 returned-check service charge, and any other costs that the City may incur thereby, shall be deposited with the City before the City resumes the review process.	

20.05 WATER AND SEWER TAP ON FEES

A. The following fees are the current sewer tap on fees in the City: (Amended Ord. 2007-130, §1; Ord. 2006-126)

	Effective 01/01/2007	Effective 01/01/2008
Single family dwelling, up to two bathrooms	\$3,112.20	\$3,205.5660
Two-family dwelling, up to two bathrooms per unit	\$3,734.36	\$3,846.3908
Multiple family dwelling: up to two bathrooms per unit		
First unit	\$3,734.36	\$3,846.3908
Each additional unit	\$1,369.27	\$1,410.3481
Each additional bathroom in any dwelling unit	\$186.71	\$192.3113

B. The following fees are the current water sewer tap on fees in the City: (Amended Ord. 2007, 130, §1; Ord. 2006-126)

Tap Size	Effective 01/01/2007	Effective 01/01/2008
1 inch	\$866.85	\$892.8555
1 1/4 inch	\$1,725.98	\$1,777.7594
1 1/2 inch	\$2,435.76	\$2,508.8328
2 inch	\$3,771.92	\$3,885.0776
*over 2 inch to be determined by the City Engineer		

20.06 BUILDING/PERMIT FEES (Amended Ord. 2011-114, §4; Ord. 2007-130, §2; Ord. 2007-105; 2006-125, §3)

	Effective 02/27/2007	Effective 01/01/2008
Agriculture, permitted use (per \$1000 of contract price)	\$4.40	\$4.5320
Alterations, remodeling (per square foot, minimum \$25)	\$0.11	\$0.1133
Business, permitted use (per \$1000 of contract price)*	\$8.80	\$9.0640
	Plus \$1.55 per square foot	
*To be deposited in the City of Harvard Transportation Improvement Fee Account. Such account shall be used to fund road improvement projects, such as the construction of additional traffic lanes, signalization and intersection improvements.		
Manufacturing, permitted use *per \$1000 of contract price	\$3.30	\$3.3990
Public Use, permitted use	To be determined by the City Council upon Building Department recommendation.	
Demolition of Building:		
a) Up to 2500 square feet	\$50.00	\$51.5000
b) 200 square feet to 100,000 square feet (per 500 sq. feet)	\$10.00	\$10.3000
c) 100,001 sq. feet. to 500,000 sq. feet (per 500 square feet)	\$20.00	\$20.6000
d) 500,001 square feet and above (per 500 square feet)	\$40.00	\$41.2000
Electrical:		
a) New construction	\$55.00	\$56.6500
plus per opening	\$0.11	\$0.1133
b) Remodeling	\$16.50	\$16.9950
c) All other electrical work	\$22.00	\$22.6600
Occupancy permit (for new construction), per unit	\$165.00	\$169.9500
Wastewater treatment plant license fee, residential, per unit	\$2,200.00	\$2,266.0000
Plumbing:		

a) One-family house	\$55.00	\$56.6500
plus per fixture	\$5.50	\$5.6650
b) Two-family house	\$55.00	\$56.6500
plus per fixture	\$5.50	\$5.6650
c) Multiple family, from 3 to 24 units	\$55.00	\$56.6500
plus per fixture	\$5.50	\$5.6650
d) State required one-family house inspection	\$176.00	\$181.2800
e) State required two-family house inspection	\$264.00	\$271.9200
f) State required multiple family house inspection	\$220.00	\$226.6000
plus per unit	\$22.00	\$22.6600
g) Re-inspection fee	\$55.00	\$56.6500
Residential Construction:		
a) One-family house	\$2,750.00	\$2,832.5000
plus per square foot	\$0.39	\$0.4017
b) Two-family house	\$5,500.00	\$5,665.0000
plus per square foot	\$0.39	\$0.4017
c) Multiple family, per unit	\$2,750.00	\$2,832.5000
plus per square foot (each floor of living space)	\$0.55	\$0.5665
d) Garage, private, per square foot	\$0.22	\$0.2266
MISCELLANEOUS		
Deck, in excess of 100 square feet, per each square foot	\$0.05	\$0.0515
Driveway	\$27.50	\$28.3250
Excavation and Tunneling, up to 10 feet	\$1,000.00	\$1,030.0000
per foot for each foot over 10 feet	\$15.00	\$15.4500
Fence	\$27.50	\$28.3250
per lineal foot for each foot over 300 feet	\$0.10	\$0.1030
HVAC	\$55.00	\$56.6500
Moving a Building	\$49.50	\$50.9850
Roofing	\$27.50	\$28.3250
Satellite dish, antenna	\$27.50	\$28.3250
Siding	\$27.50	\$28.3250
Sign	\$11.00	\$11.3300
plus per square foot	\$0.25	\$0.2575
Storage shed	\$27.50	\$28.3250
per square foot over 100 square feet	\$0.05	\$0.0515
Storm Sewer, connection to existing	\$100.00	\$103.0000
Storm water management permit less than 20,000 sq. ft.		\$50
Storm water management permit more than 20,000 sq. ft. less than 5 acres		\$500
Storm water management permit major development		\$500
Swimming pool, per sq. ft. (over 2 ft. deep and/or 250 sq. ft.)	\$0.10	\$0.1030
Window(s) replacement	\$27.50	\$28.3250

20.07 MISCELLANEOUS FEES (Ord. 2014-103, §2; Ord. 2010-115, §2; Ord. 2007-130, §3; Ord. 2006-125, §3)

The City Council shall, from time to time, adopt a fee schedule for miscellaneous charges, including the following:

Purpose	Fee
Accident Report	\$ 5.00
Bond Fee pursuant to 65 ILCS 5/1-2-12.1	\$ 20.00

City Council Minutes (annual)**		\$150.00
Clerk Certification		\$ 25.00
Comprehensive Plan		\$ 25.00
Contractors License		\$ 75.00
Compensation for Planning and Zoning Commission *per mtg.		\$ 25.00
*plus for chairmanship per meeting		\$ 25.00
Copies (per page)		\$.25
Copies Police Reports		\$ 5.00
Electric Vehicles Registration		\$ 50.00
Filing Documents with County		\$ 75.00
Fingerprints, Non-Criminal		\$ 25.00
Fire Arms ID Card		\$ 5.00
Immigration Letters & Background		\$ 75.00
Metra Parking Lot Daily Fee, cash transactions		\$ 2.00
Metra Parking Lot Daily Fee, other transactions; i.e. phone payments		\$ 1.50
Municipal Code Book**		\$150.00
Notarization		\$ 1.00
Overnight Parking Permits (per month)		\$ 37.50
Police Department Application Fee		\$ 25.00
Special Movement Permit		\$ 50.00
Subdivision Ordinance**		\$ 25.00
Zoning Map		\$ 20.00
Zoning Ordinance**		\$ 25.00
Water from Hydrant		\$ 50.00 + usage
Water construction		\$ 36.0500
Water meter and installation		\$753.4450
Water meter installation callback		\$113.3000
Water and sewer repairs (not done by city)		\$ 28.3250

** Copies of Subdivision and Zoning Ordinances, the Municipal Code Book and City Council Minutes are for electronic copies; fees are double for paper copies.

20.08 PARK AND SWIMMING POOL FEES
(Ord. 2012-120, §2)

A fee schedule relating to all park and swimming pool activities including, but not limited to, daily usage, rentals, special events and utility usages shall be maintained at the Harvard City Hall and available for public perusal. This schedule shall be, from time to time, reviewed and amended as needed by the City Council.

REIMBURSEMENT OF FEES AGREEMENT (RETAINED PERSONNEL)

City of Harvard Account No. _____

OWNER:

Name of Property Owner: _____

Owner's Address: _____

Telephone Number, Days: _____ Evenings: _____

APPLICANT:

Name of Applicant: _____

Applicant's Address: _____

Telephone Number, Days: _____ Evenings: _____

LOCATION OF PROPERTY:

General Location: _____

Total Acreage: _____ PIN(s): _____

Legal Description (attach as Exhibit A)

A. DEPOSIT: In the event it is necessary for the City to obtain or furnish professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, traffic or drainage experts, inspectors, plan examiners, or other consultants, as well as public improvement inspections performed by qualified City staff, in connection with any petitioner's request for the City to consider or otherwise take action upon any annexation, zoning change, subdivision development, planned development (PUD), dedication, vacation or easements or other improvement or development upon real property, then the petitioner and owner of the property shall be jointly and severally liable for the payment of such professional fees plus a service fee for each billing by the City to cover the City's administrative expenses as determined by the City Council from time to time. At the time the petitioner requests action from the City, he will be required to deposit an amount with the City as listed on Table B at the end of this Section 20.02 as an initial deposit to be credited against fees and costs incurred for the above described services. The petitioner and owner are liable for and shall be billed for services and consultation rendered prior to the filing of an application or petition for a development proceeding. (Amended 2006-108, §2)

B. INVOICES: The City shall send the petitioner regular invoices for the fees and costs incurred thus far, and the petitioner shall reimburse the City within 30 days of said invoice. At all times the petitioner shall maintain a balance equal to its deposit with the City.

C. **WITHDRAWALS AND DENIALS OF PETITIONS:** A petitioner who withdraws a petition may apply in writing to the City for a refund of his initial deposit. The City Council, may, in its discretion, approve the refund less any actual fees and costs which the City has already incurred relative to the petition. In the event the City Council denies approval of any or all portions of a petition, a petitioner shall remain liable for all fees and costs which the City has incurred relative to the petition, and no refund of a deposit or deposit balance shall occur until such fees and costs have been paid.

D. **PROFESSIONAL FEES:** Any professional fees incurred as a direct or indirect result of the petitioner, owner or their agent requesting a professional opinion or otherwise requesting relief or assistance from the City, whether or not related to real property, shall be reimbursed in accordance with Chapter 20 of the Harvard Municipal Code if, in the sole discretion of the City, a professional opinion is desired or necessary.

E. **DEFAULT:** Upon the failure of the owner or petitioner to reimburse the City in accordance with Chapter 20 of the Harvard Municipal Code, the City shall send notice to the owner or petitioner, by certified mail, return receipt requested, that the deposit is in arrears. No action on any request made by the owner or petitioner will be acted upon by the City Council or by any other official, quasi-official or deliberative individual or body thereunder; and such request shall remain in abeyance until all outstanding fees are paid in full. Furthermore, if all outstanding fees are not paid in full and the deposit replenished pursuant to said Chapter 20, within 7 business days after the notice was mailed, the application shall be considered withdrawn by the owner or petitioner. Upon any failure to reimburse the City in accordance with Chapter 20 of the Harvard Municipal Code, the City may, in its discretion, elect to place a lien against any real property associated with the petitioner's request. Interest in the amount of 1½ percent per month shall accrue on all sums outstanding for 30 days or more. Such lien shall be in an amount equal to the outstanding amount owed to the City.

F. **ASSIGNING AUTHORITY:** The City Council and the designated City staff members are hereby authorized to assign requests for professional services to the City staff or to consultants as the City Council deems appropriate.

G. **IN HOUSE STAFF:** When any professional services contemplated by this Chapter are rendered by the City staff, then in such case the party making the request shall execute a Developers Agreement in the form attached to this chapter. (Amended 2006-108, §2)

H. **REMEDIES:** The remedies available to the City as set forth hereinabove are non-exclusive and nothing herein shall be construed to limit or waive the City's right to proceed against any or all parties in a court of law of competent jurisdiction.

I. **AGREEMENT:** At the time the petitioner requests action from the City he will be required to enter into an agreement with the City that contains the parameters of this Section.

J. **REFUND:** Any surplus funds in the account of the petitioner or owner after all costs are paid shall be returned after approval by the appropriate City staff or City Attorney, upon written request by the petitioner or owner.

K. **PROFESSIONAL FEES INCURRED FOR INDIVIDUAL RESIDENTIAL PROPERTY:** In the event it is necessary for the City to obtain professional services in connection with any work proposed for or done on an individual resident's property, including but not limited to drainage, provision of utilities or other public services, landscaping or structural issues, the owner of the property shall be liable for the payment of such professional fees plus a service fee for each billing by the City to

cover the City's administrative expenses as determined by the City Council from time to time. Said professional fees shall include but are not limited to the costs of any consultation, review of drawings, field inspections and travel expenses. The provisions of Section 20.02-G of Harvard Municipal Code also apply.

L. HIGHER DEPOSIT: Notwithstanding any of the provisions Chapter 16 of the Harvard Municipal Code, the City, through its City Council, may require a higher deposit and a Reimbursement of Fees Agreement containing additional requirements of the petitioner for development proceedings or reviews after taking into account the following factors: i) scope of the development; ii) the acreage of the development; and iii) the anticipated expense of professional consultants including, but not limited to, engineers, land planners and attorneys, reasonably necessary to review the proposed development request. In addition, the City, through its City Council or attorneys, may negotiate other items relative to the review or development proceeding including, but not limited to, the use of specific consultants and/or attorneys, rates and budgets.

By signing this Agreement the applicant and/or owner acknowledge that each of them has read the foregoing paragraphs and each of them fully understands and agrees to comply with the terms set forth herein. Further, by signing below, each signatory warrants that he/she/it possesses full authority to so sign.

The owner and/or applicant agree that owner and applicant shall be jointly and severally liable for payment of fees referred to in applicable sections of the ordinances of the City of Harvard, and as referred to hereinabove.

Applicant

Applicant

Owner

Owner

Date _____

STATE OF ILLINOIS)
) SS
COUNTY OF McHENRY)

I, _____, a Notary Public in and for said county, in the state aforesaid, do hereby certify _____

personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she/they signed and delivered the said instrument as his/her/their free and voluntary act, for the uses and purposes therein set forth.

Given under by hand and official seal, the _____ day of _____, 20____.

(Notary Stamp)

Notary

DEVELOPER'S AGREEMENT

This Developer's Agreement is made and entered into this _____ day of _____, 20___, by and between the City of Harvard ("City") and _____ ("Developer").

Recitals

A. The Developer is the titleholder of certain property annexed by City pursuant to Ordinance No._____. The annexed property is legally described on the exhibit attached hereto ("Property").

B. The Developer is required to pay certain impact fees to the City pursuant to applicable ordinances at the time of platting of residential lots within the Property.

C. It is in the best interests of the Developer to pay said impact fees at the time each residential building permit is issued and the City is willing to accept this variation from the required ordinance subject to the terms herein.

D. Similarly, pursuant to the City's retained personnel ordinance, the Developer is required to pay certain retained personnel of the City for various engineering expenses associated with public improvement inspections during construction.

E. It is in the best interest of the Developer to reimburse City staff to perform the required inspections relating to public improvements being constructed on the Property subject to the terms herein.

NOW, THEREFORE, in consideration of the promises and covenants made herein, the sufficiency and adequacy of which is acknowledged as being received by both parties, it is agreed as follows:

1. Cash donations paid pursuant to an ordinance(s) or annexation agreement shall be paid in a lump sum upon final subdivision plat approval for the total proposed residential units. Provided, however, in the event the Developer executes a release and indemnification agreement substantially in the form referenced as Exhibit D in Section 16.52 of the Harvard Municipal Code, payment may be made for each residential unit at the time each building permit is issued. Each residential unit in a multiple family structure shall be considered separate.

2. Developer is hereby permitted and the City Administrator is hereby directed to coordinate use of available qualified City staff to perform public improvement inspection services relative to the Developer's development of the Property. The City shall invoice the

Developer on a monthly basis, to be paid for out of retained personnel funds, at an hourly rate determined from time to time by the City Council. Provision of these City staff services to the Developer shall be at the City Administrator's sole discretion, taking into consideration the availability and qualifications of the City staff.

IN WITNESS WHEREOF, the parties have executed this Developer's Agreement the day and year first above written.

DEVELOPER:

CITY OF HARVARD:

By: _____

By: _____