

ATTACHMENT 4

Section 201.09. - Impact fees.

- E. Reduction, Refund, and Relinquishment of impact fees. Any commercial customer whose maximum monthly water use or sewage flow remains below the amount corresponding to the number of ERUs assigned to such customer for a period of twenty-four (24) months and for which impact fees have been paid, may make application to the department to reduce the number of ERUs assigned and seek corresponding reimbursement of impact fees paid, as they are resold by the county. The county may refund impact fees actually paid, without interest, based on the impact fee schedule in effect at the time of original payment or at the prevailing rate, whichever is less, provided the department has resold such ERUs since the impact fee refund application was made. Subsequent water use or sewage flow in excess of flows corresponding to customer's number of assigned ERUs will be subject to the provisions of this chapter.

Any customer who purchased ERUs may make application to the department for a refund provided application is made within twenty-four (24) months of the payment of impact fees. Reimbursement will be made at the rate in effect at the time of the original payment.

Any customer who has a reserve account affiliated with an assessment paid in lieu of impact fees affiliated with certain voluntary assessments that were adopted by Resolution between 1984 and 1989, may make application to the department for a refund of the amount paid. Refunds will be equated to a per ERU basis and refunded at the amount actually paid.

The County may reclaim any ERUs if twenty-four months of related service availability fees become delinquent. Any impact fees paid will be applied to the account balance and any excess of such fees will be refunded.