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City of Nowthen – Real Estate Development or Construction Consultant Fees Checklist and Acceptance Statement

Starting Aug. 1, 2019, Minnesota Statute § 471.462 requires all cities to provide, upon request, a nonbinding estimate of consulting fees in connection with applications for permits, licenses, or other approvals relating to real estate development or construction. An application is not complete until all four requirements of the statute in the checklist below are met.

Minnesota Statute § 471.462 does not apply unless (1) the application is for a permit, license, or other approval related to real estate development or construction, and (2) the applicant requests that the city provide a nonbinding estimate of consultant fees to be charged to the applicant. When applicable, the application is not complete until the following four requirements are met:

- ☐ The city has provided the estimate of consultant fees to the applicant. The estimate of consultant fees must be based on information available to the city at that time.
- ☐ The city has received, from the applicant, all the required application fees.
- ☐ The city has received a signed acceptance of the fee estimate from the applicant.
- ☐ The city has received a signed statement that the applicant has not relied on the estimate of fees in its decision to proceed with the final application.

Minnesota Statute § 15.99 requires that cities must approve or deny written land use applications within 60 days (the “60-Day Rule”). An application is not complete for purposes of the 60-Day Rule until all four requirements of Minnesota Statute § 471.462 are met.

PROJECT: _____

PROPERTY ADDRESS: _____

PID NUMBER: _____

NAME & ADDRESS OF APPLICANT:

City of Nowthen - Signed Acceptance and Non-Reliance Statement

I, on behalf of _____, understand that in connection with an application for _____, I/ _____ requested the City of Nowthen provide a written, nonbinding estimate of the consultant fees to be charged, relating to the application.

Based on the information available to the city, the city estimated it would charge _____ in consultant fees. I acknowledge that I have received the written estimate of consultant fees and accept the fee estimate.

Furthermore, I acknowledge that I, on behalf of _____, have not relied on the city's estimate of consultant fees in my decision to proceed with the final application for _____.

APPLICANT:

DATED:

TITLE:

ON BEHALF OF:

THE CITY OF NOWTHEN

RECEIVED BY: _____

DATED: _____

City of Nowthen Estimated Consultant Fees

Application Types	Escrow Amt. Required	Planning & Zoning Fees	Engineering Fees	Attorney Fees
Lot Split/Minor Subdivision Park & Trail Dedication Fee	\$1,000	\$120/hour \$2,500/lot	\$110/hour (\$400-\$600 per lot)	\$200/hour
Administrative Subdivision Park & Trail Dedication Fee	\$1,000	\$60/hour \$2,500/lot	\$110/hour (\$400-\$600 per lot)	\$200/hour
Concept Plan, Preliminary or Final Plat Park & Trail Dedication Fee	\$1,500	\$120/hour \$2,500/lot	\$110/hour (\$400-\$600 per lot)	\$200/hour (typ. 4-5 hours)
Site & General Plan Review, Comprehensive Plan Amendment, Zoning Map or Text Amendment, Interim Use Permit, Conditional Use Permit, Variance	\$1,000	\$120/hour	\$110/hour	\$200/hour
Easement Vacation	\$300	\$120/hour	\$110/hour	\$200/hour
Wetland Delineation	\$2,000	\$120/hour	\$92/hour	NA
Excavation & Mining Permit	\$1,500	\$120/hour	\$110/hour	\$200/hour
Building Permit Review	NA	\$60/hour	\$110/hour	NA
Misc. Consultant Fees	NA	Costs Incurred	Costs Incurred	
Building Permit Fees: The valuation determined for a project shall be by legal means and used in determining fees as stipulated by the 1997 Uniform Building Code method. This provides for the fee to be adjusted in accordance with the total cost of the project. The Minnesota State Building Code is revised periodically and can be viewed at http://www.doli.state.mn.us/				

As representatives of the City, consultants make every effort to keep costs to a minimum while ensuring that all submitted applications, building and development plans are in compliance with City-adopted policies, regulations and ordinances. Applicants, property owners and contractors can help to keep costs down by submitting complete applications, providing clear and detailed plans prepared by professional surveyors, architects and engineers.

Situations which tend to increase building/development fees or overall costs associated with the submission, processing, review, and decision related to the request:

- Plans lacking the necessary/required information or Incomplete submittals
- Deviating from staff recommendation based on the City's Comprehensive Planning policies or City Code requirements
- Plan/design revisions that require additional staff meetings or follow-up staff review
- Continuation or tabling of items at Planning and Zoning Commission or City Council meetings (additional meetings)
- Scheduling a special meeting (\$500)

The applicant and/or property owner shall be responsible for all City-incurred professional fees and expenses associated with the processing of this request and enforcing the terms of the application agreement(s) including, but not limited to, attorney's fees, engineering or planning fees.

If the escrow amount is depleted, the applicant and/or property owner shall furnish additional monies as requested by the City within 30 days of such request. Any amounts not utilized from this escrow fund shall be returned to the applicant and/or property owner, without interest, when all financial obligations to the City have been satisfied.

All fees and expenses are due whether the application is approved or denied, and regardless of the estimated or accepted escrow amount.