

ORDINANCE NO. 844

Ordinance Amending Chapter 2, Article I, Section 2-4. An Ordinance Amending the Ordinance Relating to the setting of Regulatory User Fees and Non-Regulatory User Fees.

Section 1. The Code of the City of Charlotte is amended by rewriting Section 2-4 to read as follows:

"Sec. 2-4. Regulatory User Fees and Non-regulatory User Fees.

(a) *Definitions.*

Regulatory User Fees. Fees associated with or incident to a regulatory program. The purpose of Regulatory User Fees is to meet some or all of the costs occasioned by the regulated action.

Non-regulatory User Fees. Fees charged to those who receive governmental services or use governmental facilities. The term Non-regulatory User Fees does not include fees charged incident to a regulatory program except to the extent that fees are to defray the cost of providing a higher degree of service than is otherwise provided in conjunction with the regulatory program whether or not Regulatory User Fees are charged. For purposes of this section, Non-regulatory User Fees shall not include Stormwater Service Charges established pursuant to Chapter 18, Article I of the City Code or Water and Sewer Service User Charges and other fees and charges established pursuant to Chapter 23 of the City Code.

(b) *Regulatory User Fees.* The city manager, or his or her designee, may establish and revise from time to time regulatory user fees in accordance with regulatory user fee policies established by the city council, which policies shall be in accordance with generally accepted accounting principals.

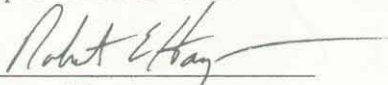
(c) *Non-regulatory User Fees.* The city manager, or his or her designee, may establish and revise from time to time non-regulatory user fees. To the extent that the city council has established policies regarding Non-regulatory User Fees, fees shall be in accordance with such policies.

(d) *Notification of City Council of New or Increased Fees.* The city manager shall notify the Mayor and City Council of any new regulatory or non-regulatory fee or any increase in a regulatory or non-regulatory fee through the budget process or, if not part of the budget process, at least 30 days prior to the effective date of the new or increased fee.

(e) *Schedule of Fees.* A complete schedule of Regulatory User Fees and Non-regulatory User Fees shall be available for inspection in the office of the city clerk.

Section 2. This ordinance is effective upon adoption.

Approved as to form:


Asst. City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of May, 1997, the reference having been made in Minute Book 110, and recorded in full in Ordinance Book 48, Page(s) 99.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of May, 1997.

Nancy S. Gilbert, Deputy City Clerk