



CLARK COUNTY DEPARTMENT OF PUBLIC WORKS

POLICY STATEMENT

DEVELOPMENT ENGINEERING FEE REFUNDS

Approved by: *Pete Capell, Public Works Director/County Engineer*
Effective Date: *4/5/2011*
Revision Date: *None*
File Name: *K:\lanbb:\COUNTY\PW\PW Departmental Policies\Development Engineering Fee Refunds.doc*

Purpose/Intent

The purpose of this policy is to prescribe the procedures and approval process for refunds of development engineering fees.

Guiding Principles

Credibility/Fiscal Accountability

Responsibilities & Affected Parties

This policy is applicable to the Development Engineering program.

Policy Provisions

The Development Engineering program receives fees to process engineering reviews and perform development project inspection. The fees are listed in Clark County Code (CCC) Title 6, specifically Table 6.110A.020 and Table 6.110A.030.

Full refunds may be issued for erroneous fee payments by applicants, such as a fee calculation based on the wrong classification type for a road modification review. In these cases, a full refund of the erroneous charge would be made and the correct fee would be charged.

Additional refunds and waivers are provided in CCC 6.100.040, as follows:

1. *A fee reduction or waiver where there is a processing issue with the permit.*

It is the policy of Public Works to not issue fee refunds based on a processing issue or when an applicant conducts unnecessary research. The Development Engineering program does not budget for refunding such reductions or waivers. The only exception is a Board of Commissioners documented request to refund fees due to a unique situation.

2. *A partial refund when an application is withdrawn by the property owner or applicant prior to the expenditure of staff resources.*

For refunds requested by a property owner/applicant, it is the policy of Public Works to refund the full fee (100%) only if no staff time has occurred on the permit case. No partial refunds are issued after staff work has begun.

Public Works development fee refunds require the approval/signature of the Development Engineering Program Manager and the Finance Manager (department head's designee).

Clark County Code Reference

6.100.040 Refunds and waivers.

- (1) *Fee reductions or waivers may be approved, with signatures of approval of the division manager and department head where there is a mistake made by the department which results in:*
 - (a) *An unreasonable delay of a permit issuance; or*
 - (b) *The applicant conducting research or studies which are found to be not needed or required; or*
 - (c) *An error in processing the application; or*
 - (d) *A delay in permit issuance created by an unresolved policy question (e.g., ordinance not clear);*
 - (e) *If a reduction or waiver is approved, it requires findings that the criteria has been documented;*
 - (f) *The amount of fee reductions or waivers shall not exceed the annually budgeted amount established for such reductions or waivers.*

- (2) *Partial refunds may be approved, with signatures of approval of the division and department heads when an application is withdrawn prior to the expenditure of division staff resources processing the application. (Sec. 30 of Ord. 1997-12-46)*