

RESOLUTION NO. 2012-15
Amended Commercial Use Permit Fee Schedule

WHEREAS, Kootenai County owns various facilities which provide access to waterways and recreational opportunities for the public; and

WHEREAS, it is the responsibility of the Board to manage the use of these facilities to benefit the health, safety, and welfare of the recreational users, the adjoining landowners, and the public in general; and

WHEREAS, Section 6-2-10, Kootenai County Code, prohibits commercial use of county facilities except as authorized by the Board with the appropriate permit issued by the Director of the Kootenai County Parks and Waterways Department; and

WHEREAS, Section 31-870, Idaho Code, authorizes the Board to impose and collect fees for those services provided by the county which would otherwise be funded by property tax revenues, provided that such fees must be reasonably related to, and shall not exceed, the actual cost of the service being rendered, and provided further, that the implementation of any new fees must comply with the requirements of section 63-1311A, Idaho Code; and

WHEREAS, the Board has found that it is necessary and in the public interest to reduce the burden on the taxpayers of Kootenai County to provide funding for the provision and maintenance of county waterways facilities, in part, through the implementation of permit fees for commercial use of these facilities; and

WHEREAS, local boat dealers, marine contractors, and other private companies have in good faith obtained commercial use permits as required, but have indicated that they are struggling with the fees due to a lag in business in comparison with previous years; and

WHEREAS, these commercial marine businesses are employers of local citizens, and a temporary reduction of commercial use permit fees may assist them in retaining employees, help ensure continued compliance with permitting requirements and other County waterways regulations, potentially stimulate the issuance of new commercial use permits to businesses which would continue to purchase them after the fee reduction sunsets, and enable the County to participate in supporting local private businesses during unusually lean economic times; and

WHEREAS, Kootenai County Parks and Waterways Director Nick Snyder has proposed a fifty percent (50%) across-the-board reduction in commercial use permit fees for a period of two years for the reasons stated above; and

WHEREAS, because the majority of the revenue generated for Kootenai County Parks and Waterways Department operations is derived from recreational boating, the proposed temporary reduction of commercial use permit fees should not adversely affect that department's ability to provide necessary maintenance and operations; and

WHEREAS, the Kootenai County Waterways Advisory Board heard this proposal at a public meeting held on December 19, 2011, and recommended its approval; and

WHEREAS, the Board agrees that this proposal is necessary and in the public interest for the reasons stated above;

NOW THEREFORE, BE IT HEREBY RESOLVED that Section V of Resolution No. 2010-01, dated January 5, 2010, setting forth the commercial use permit fee schedule for Kootenai County parks and waterways facilities, as defined in Title 6, Chapter 2, Kootenai County Code, shall be amended as follows:

V. COMMERCIAL USE PERMIT FEE SCHEDULE. The fees for commercial use permits shall be as follows:

- A. Advertising Permits: \$0.05 per square inch
(Minimum fee: \$10)
- B. Concession Permits:
 - 7-day permit \$50
 - 30-day permit \$150
 - Seasonal permit \$450

Whenever the director receives more than one application for a concession permit for the same facility for the same time period or for overlapping time periods, he or she may require the applicants to submit bids for the permit pursuant to section 6-2-9, subparagraph (E)(2)(c), of the Kootenai County Code. In such cases, the minimum bid amount shall be the amount of the permit fee for the applicable time period as set forth above, or such higher amount as the director may determine.

- C. Vessel Demonstration Permits:
 - Annual fee – In-state dealers \$100
 - Annual fee – Out-of state dealers \$250

- D. Vessel Repair Permits:
 - Annual fee – In-state dealers \$100
 - Annual fee – Out-of state dealers \$250

Applicants requesting both a vessel demonstration permit and a vessel repair permit will receive a fifty percent (50%) discount on the second permit.

E. Permits for the Commercial Transportation of Persons:

Annual fee per facility \$25 per lineal foot of moorage required for safe use in all conditions as determined by the director

F. Water Sports Activities Permits:

1-day permit \$15
7-day permit \$25
30-day permit \$50
Annual permit \$100

Commercial water sports activities permits shall cover the use of all county facilities by the permit holder for the time period specified on the permit.

G. Vessel Fueling Permits:

Annual fee \$250

H. Marine Contractor Permits:

Annual fee \$250

VII. EFFECTIVE DATE; EFFECT ON PRIOR RESOLUTION; SUNSET

This Resolution shall be effective as of the date of signature below. The provisions of this Resolution shall supersede the corresponding provisions of Resolution No. 2010-01 for so long as this Resolution is in effect. This Resolution shall be null and void, and have no further force or effect, on and after March 1, 2014.

Upon a motion made by Commissioner _____, seconded by Commissioner _____, that the foregoing be enacted as a Resolution of Kootenai County, the following roll call was recorded:

Commissioner Nelson:
Commissioner Green:
Chairman Tondee:

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Commissioners of Kootenai County, Idaho, on the _____ day of _____, 2012.

**KOOTENAI COUNTY
BOARD OF COMMISSIONERS**

W. Todd Tondee, Chairman

Daniel H. Green, Commissioner

Jai K. Nelson, Commissioner

ATTEST:
CLIFFORD T. HAYES, CLERK

By: _____
Deputy Clerk

C: Parks & Waterways, Waterways Advisory Board, KCSD, Prosecuting Attorney (Civil Division),
Coeur d'Alene Tribe, Sterling Codifiers, Resolution File