

AGREEMENT TO PAY OUTSIDE PROFESSIONAL REVIEW EXPENSES RELATED TO LAND USE APPLICATION

This Agreement to Pay Professional Review Expenses Related to Land Use Application (“Agreement”) is entered into this _____ day of _____ by and between _____, (“Applicant”) and the City of La Center (“City”) as indicated by the below signed authorized representative of the parties.

Applicant is the Applicant for _____, which has been assigned City Planning File No. _____.

Applicant recognizes that the City is obligated by state law and the La Center Municipal Code to provide a complete review of land use applications, including all technical support documents, in order to determine compliance with all applicable approval standards and that some of those support documents exceed the professional certifications and capabilities of City staff. In these instances, the City must contract with outside qualified professionals in order to perform its land use review responsibility.

City has adopted a policy that the cost of plan review by outside professionals is not a normal or regular cost of application review and that the Applicant is responsible for paying those fees and related expenses in addition to the normal permit and plan review fees.

When Applicant submits an application with technical support documents that exceed the professional certifications and capabilities of City Staff, City shall contract with a suitably qualified professional to perform the required review.

Applicant hereby agrees and commits to pay the actual cost of outside plan review by suitably qualified professionals, selected by the City, when technical support documents submitted by Applicant for City review exceed the professional certifications and capabilities of City Staff.

When Applicant submits an application with technical support documents that exceed the professional certifications and capabilities of City Staff, Applicant agrees to pay to the City, at the time of applications, a deposit estimated to cover the cost of such outside professional review.

In the event a dispute arises regarding the interpretation or application of the Agreement, the prevailing party shall be entitled to its reasonable costs and professional expenses incurred, whether or not formal litigation or an enforcement action is instigated.

IT IS SO AGREED:

Applicant

By: _____

Title: _____

Date: _____

City of La Center

By: _____

Title: _____

Date: _____