

# ORDINANCE NO. 1082

## AN ORDINANCE AMENDING ORDINANCE NO. 1080 ENTITLED “AN ORDINANCE GRANTING CERTAIN ECONOMIC INCENTIVES FOR BUSINESS RELOCATION AND EXPANSION TO EHRLICH TOYOTA EAST BY THE CITY OF FORT MORGAN, COLORADO.

**Whereas**, Ehrlich Toyota East (hereinafter “Ehrlich”) previously submitted an Economic Development Incentive Application pursuant to the City’s Economic Incentive Policy, therein requesting among others, a waiver of the Building Permit Fee up to \$3,500.00; and,

**Whereas**, on April 21, 2009, Ordinance No. 1080, granted to Ehrlich certain tax and economic incentives for construction of an automobile dealership and vehicle service/repair garage, at an anticipated cost of \$2,500,000.00, upon Lot 1 of the Minor Subdivision Plat of the “Ehrlich Minor Subdivision”; and,

**Whereas**, the inclusion of the waiver of the Building Permit Fee up to \$3,500.00 which was omitted under Ordinance No. 1080; and,

**Whereas**, the Council finds that the amendment as proposed is necessary as this Project benefits the City by providing new employment opportunities; and,

**Whereas**, the Council finds that the general welfare of the residents of the City would be promoted by amending the tax incentive payments with the inclusion of the Building Permit Fee, as hereinafter set forth.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO, THAT:**

**Section 1.** The entire **Ordinance 1080** is hereby incorporated herein by reference.

**Sections 2.** Paragraph 4 of **Ordinance 1080** is hereby amended to state:

**“4. Other Tax and Fee Incentives.** The City will provide an electric infrastructure credit up to **Ten Thousand (\$10,000.00) Dollars**, for the installation of electrical service to the meter, including any required transformer. The City will provide a gas infrastructure credit of up to **One Thousand (\$1,000.00) Dollars**, for the installation of a gas tap and line to Ehrlich from the City’s gas main. In addition, the City shall waive all building permit fees in the amount up to **\$3,500.00** otherwise payable to the City for the construction of Ehrlich’s facilities, except any actual expenses incurred by the City by the City for plan reviews or inspections that may be required, which expenses shall be paid by Ehrlich.

INTRODUCED, READ AND PASSED UPON FIRST READING this 2<sup>nd</sup> day of June, 2009, for publication once in a newspaper of the City of Fort Morgan, Colorado, at least ten days before its final passage.

THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

[ SEAL ]

BY: /s/ Jack L. Darnell  
Mayor

ATTEST:

/s/ Andrea J. Strand  
City Clerk

FINALLY PASSED, ADOPTED AND APPROVED this 16<sup>th</sup> day of June, 2009, for publication by title only, once in the newspaper of the City of Fort Morgan, Colorado, within five days of the final passage, to take effect five days after final publication.

THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

[ SEAL ]

BY: /s/ Jack L. Darnell  
Mayor

ATTEST:

/s/ Andrea J. Strand  
City Clerk

STATE OF COLORADO       )  
COUNTY OF MORGAN       ) ss.  
CITY OF FORT MORGAN     )

**CERTIFICATE**

I, Andrea Strand, the duly appointed, qualified and acting Clerk of the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **Ordinance No. 1082** was, as a proposed **Ordinance** duly and legally presented to the City Council of the City of Fort Morgan, Colorado, at a Regular Meeting on the 2<sup>nd</sup> day of June, 2009. Said **Ordinance**, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 5<sup>th</sup> day of June, 2009, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort

Morgan, Morgan County, Colorado. Said proposed **Ordinance** was again taken up and read a second time, duly and legally passed, approved and adopted at a Regular Meeting of the City Council held on the 16<sup>th</sup> day of June, 2009. Within five (5) days after its final passage, said **Ordinance** was published in the *Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.

*/s/ Andrea Strand*  
City Clerk