

SDC Appeal Application

Permit Center
710 NW Wall St
Bend, OR 97701
P: 541-388-5580
F: 541-388-5519
www.bendoregon.gov



COMMUNITY
DEVELOPMENT

Submit completed forms to: comdeveng@bendoregon.gov

Applicant Information

Applicant's name: _____ Email: _____

Company name: _____ Phone: _____

Address: _____
City State Zip Code

Project Information

Building Permit Number: _____ Planning File Number (if applicable): _____

Project Address: _____

Project Map and Tax Lot: _____

Information Requirements

This request must state the amount of SDC charge that is in dispute and must contain the reasons why the applicant believes the amount charged is incorrect (please refer to the SDC procedures listed on the reverse side of this form – additional documentation may be attached).

Amount and type of SDC charge in dispute: _____

Reason the applicant believes the amount charged is incorrect: _____

Applicant's Signature

Date

Submit completed forms to: comdeveng@bendoregon.gov

Office Use Only

Fee Paid _____ Received By _____ Date _____ File No. _____

City of Bend Code Section 1.910 Appeals

Appeal of Amount Charged.

1. A person responsible for paying SDCs (the "Payor") may request review of the amount of SDCs calculated by staff by submitting a written request for review to the Community Development Department Engineer (CDD Engineer) prior to paying the SDCs or at the same time as the SDCs are paid. The request for review must state the amount in dispute and must provide reasons why the amount charged is incorrect. The CDD Engineer shall respond to the request for review within five working days unless a meeting between the Payor and CDD Engineer is requested. If a meeting is requested, the CDD Engineer shall meet with the Payor and issue the response no later than five working days after the meeting. The CDD Engineer's response may be to affirm the original amount, increase or reduce the original amount, or require a traffic report prepared by a licensed traffic engineer. A decision requiring a traffic report is not a final decision. If a traffic report is requested and provided pursuant to the parameters established by the City, the CDD Engineer shall provide a final decision within 15 working days of receiving the report.
2. The Payor may appeal the final decision of the CDD Engineer to a panel comprised of the City Manager, the Community Development Director, and the Public Works Director, by submitting a written appeal to the Permit Center stating the amount in dispute and specifying why the amount charged is incorrect. The appeal must be filed with the City within five working days of delivery to Payor of the CDD Engineer's decision. A mailed decision shall be deemed to be delivered three days after mailing. If the SDCs have not been paid in full at the time of the appeal, the Payor shall pay an appeal fee in an amount set by Council resolution. The permittee may provide additional written argument or evidence regarding the amount within 10 days after filing the appeal. The City shall provide a final written decision on appeal within 30 days of the filing of the appeal. The appeal panel shall meet with the Payor if requested in the appeal document.
3. A Payor challenging the amount of SDCs may pay the SDCs in full at any time after the request for review is filed. The Payor may also pay the uncontested portion of the SDCs any time after the request for review is filed provided the uncontested portion is reasonable as determined by the CDD Engineer. No building permit will be issued until the uncontested amount of the SDCs is paid unless deferral of payment is allowed under some other provision of law. If the uncontested amount of SDCs is paid and a building permit issued, the Payor shall pay any additional amounts determined to be payable within 30 days of the City's final decision on review or appeal. Failure to pay the additional amounts within 30 days will result in interest of 12% charged on the additional amounts from the date of issuance of the building permit. No certificate of occupancy will be issued or final inspection scheduled until all SDCs are paid in full. If the amount originally charged by the City is paid in full and the final City decision reduces the amount payable, the City shall refund the difference. If the Payor has paid the appeal fee and the City reduces the amount payable on appeal, the appeal fee shall be refunded. No interest shall accrue on the amounts to be refunded to the Payor.