

## Article XI Fees

### § 145-104 Fees established.

- A. Purpose. The purpose of this article is to formally establish and define the charges (fees) designated by the Board of Health for the Town of Harvard, Massachusetts, under the authority granted by MGL c. 41, § 81Q, and MGL c. 40A, § 9, MGL c. 40, § 22F, and MGL c. 44, § 53G. This document, subject to revision from time to time in a manner spelled out within, constitutes the current fee schedule and those rules governing the imposition of fees.
- B. Fee structure and regulations established. The Board of Health shall impose reasonable fees for the review of applications which come before it. The application fee shall be comprised of one or both of the following fees: administrative fees and complex project review assessment.
- C. Definitions.

Administrative Fees: Exact payments assessed on an application or filing.

Application: A written or verbal request for approval from the Board of Health.

Complex Project: A project which requires a Special Permit from the Planning Board or a project which is proposed for a location in a Commercial District or Multi-Family Zone.

Complex Project Administrative Fee: Exact payments assessed to an applicant related to a complex project.

Complex Project Review Assessment: Monies assessed and kept in a 593 Account.

Environmental Restoration: The cleanup of soil and or water impacted by petroleum or hazardous materials.

593 Account: A special account established to pay for the employment of outside consultants. Authorized and maintained pursuant to MGL c. 44, § 53G.

- D. Administrative fees.
- (1) An administrative fee shall be assessed to offset the expense of review by the Board of Health and its office. This administrative fee applies to all applications except those exempted below.
  - (2) Administrative fees are to be submitted as part of the initial application. An application filed without the inclusion of these fees shall be determined to be incomplete, and no processing shall be performed until the proper fee has been submitted.
  - (3) Since administrative fees are imposed for the review process, they are not linked to the determinations of the Board of Health. There are no fees charged for approvals or permits resulting from that review process.
  - (4) Once the review process has begun, there shall be no refunding of administrative fees. This includes the withdrawal of the application by the applicant. For this reason, it is important that applicants consult with the Board of Health prior to initiating the formal application to ensure that the appropriate permits and review are being sought.
- E. Schedule of administrative fees.

- (1) The following is the schedule of administrative fees for applications which come before the Board of Health. This fee schedule supersedes all previous schedules and is in addition to any fees which may be required by the Nashoba Associated Boards of Health (NABH) as the Harvard Board of Health's Agent. See also Ch. 145, Section 104.

<b>Administrative Fee Schedule</b>	
<b>Type of Application</b>	<b>Fee</b>
<b>Complex Project Administrative Fee</b>	\$500
<b>Sewage disposal system permits</b>	
New permits	\$75
Repair permit	\$50
Upgrade permits	\$75
Renewal permits	\$50
Transfer permits	\$50
<b>Well permits</b>	\$50
<b>Variance hearing</b>	
Without abutter notification by applicant	\$100
With abutter notification by applicant	\$150
<b>Environmental restoration</b>	
Lot	\$100- \$200
<b>Stable permits</b>	
Initial permit	\$0
Renewal (annual)	\$0
<b>Title 5 Inspection Report</b>	\$75
<b>Waste hauler permits</b>	
Initial application package	\$250
Renewal: Complete application package received by December 1 <sup>st</sup>	\$250
Each month or partial month thereafter	Additional \$200

<b>Administrative Fee Schedule</b>	
<b>Type of Application</b>	<b>Fee</b>
<b>Tobacco product sales permit</b>	
Initial	\$150
Renewal (annual)	\$150
<b>Marijuana operating permit</b>	
Initial	\$150
Renewal (annual)	\$150
<b>Camp License</b>	\$10
<b>10-Day Emergency Beaver or Muskrat Permit Application</b>	\$0

(2) Exemptions. Some types of Board of Health activities require no administrative fee.

(a) Informal discussions shall require no fee.

(b) The Board of Health may waive any administrative fee for applications brought forward by other Town departments.

(3) Waivers and modifications. The Board of Health, at its option, may waive or reduce any fee under these provisions if, in the opinion of the Board, unusual circumstances exist resulting in an application fee not envisioned or intended with the adoption of this article. Such judgment by the Board of Health shall require a motion carried by a majority of the Board members.

F. Complex Project Review Assessments.

(1) Purpose; applicability; procedure. These assessments are deposits into special "escrow" accounts, herein "593 accounts" from which expenses for expert consultant(s) will be paid. This assessment shall be imposed on those applications which, as determined by the Board of Health, require the services of outside consultants due to the size, scale or complexity of the proposed project.

(a) Monies shall be collected from the applicant and deposited into the complex project's 593 Account upon submission of the application. The project's 593 Account will be managed in accordance with MGL c. 44, § 53G.

(b) Upon favorable majority vote of the Board of Health, excess funds in the complex project's 593 Account, including accumulated interest, shall be returned to the applicant at the conclusion of the review process.

G. Schedule of complex project review assessments. When more than one type of application is being sought at the same time (for the same complex project), only the highest of the applicable complex project review assessment shall be collected for deposit into the 593 Account, and not the sum of those monies.

- (1) Initial deposits. The following complex project review assessment monies for the indicated application types are to be submitted with their initial applications:

<b>Complex Project Review Assessments</b>	
<b>Type of Review Assessment</b>	<b>Fee</b>
Community or industrial septic or sewerage systems	\$2,500
Subdivision/environmental restoration	\$1,000 plus \$250/unit

- (2) Exemptions from initial deposits. The Board of Health shall consider at the first review session, or at any subsequent review session, whether such an assessment fee is warranted and, if so, the amount of the fee.
- (3) Subsequent deposits (depletion). When the balance in an applicant's 593 Account falls below 25% of the initial project review fee, the Board will require additional funds in amounts determined by the Board and consistent with the scope of the project. The Board may also choose to set a different threshold (other than 25% of the initial deposit) to trigger requirements for additional fees.
- (4) Inspection phase of projects. After granting any permit or approval which will culminate in construction requiring inspections by Board of Health consultants:
- (a) The Board may choose to adjust the 593 Account by issuing a refund to the applicant or by requiring a supplemental project review fee.
  - (b) Adjustments should be made after all bills for review services have been accounted for.
- H. Revision of fee schedules and regulations governing fees.
- (1) Periodic review.
    - (a) From time to time, the Board of Health may review and revise its regulations and fee schedules.
    - (b) The Board will consider any petitions submitted by an applicant or other member of the public to make revisions in the regulations or the fee schedules.
    - (c) Any new regulations or alterations to the fee schedule shall take effect after being adopted by a majority vote of the Board of Health.

**§ 145-105 Payments.**

- A. Payments shall be made in cash in the form of US currency, by personal or business checks or by certified bank funds and made payable to "The Town of Harvard." These payments shall be presented to the Board of Health or its Agent for deposit into the accounts of the Town of Harvard by the Town Treasurer in accordance with all Town policies and stipulations.
- B. In addition to the fees required by these fee regulations, there may be additional fees required by the Nashoba Associated Boards of Health (NABH). Those fees are separate from the fees described in this regulation and must be presented to NABH.

§ 145-105.1 **Effective date.**

Amendments approved March 25, 2024, shall be effective beginning April 8, 2024.