

ORDINANCE NO. 06-97

ROLL CALL

VOTING	YES	NO
MAYOR MARIE W. HUFF <i>(votes only in case of tie)</i>		
SHERMAN E. HUFF <i>Councilmember</i>	X	
MATTHEW D. BARBER <i>Councilmember</i>	X	
THORA L. SHAW <i>Councilmember</i>	X	
CLYDE A. SWENSON <i>Councilmember</i>	X	
REX WOODHOUSE <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Councilmember Swenson

I SECOND the foregoing motion: Councilmember Huff

ORDINANCE 06-97

IMPACT FEE ENACTMENT ORDINANCE

WHEREAS, Spanish Fork City is experiencing extremely rapid growth; and

WHEREAS, the growth is placing a burden on the capital facilities infrastructure of the City;

and

WHEREAS, new facilities are necessary to accommodate the growth; and

WHEREAS, it is fair and equitable that the entities responsible for the new facilities pay for the cost thereof; and

WHEREAS, impact fees are an appropriate mechanism to pay for facilities made necessary by rapid growth; and

WHEREAS, Spanish Fork City has prepared a capital facilities plan as part of its comprehensive general plan; and

WHEREAS, an analysis has been prepared whereby the needs, costs, and equitable allocation of those costs has been determine and fairly apportioned; and

WHEREAS, the City has an immediate need for parks and recreation facilities to accommodate the new growth; and

WHEREAS, major improvements, including new lines to develop new sources of culinary water are necessary to accommodate the growth; and

WHEREAS, storm water facilities are needed in various areas of the City in order for those areas to develop and accommodate the growth; and

WHEREAS, a new electric sub-station and related upgrades are necessary to provide electric power to the new growth; and

WHEREAS, new distribution lines to the sewer plant are necessary to accommodate new growth; and

WHEREAS, it is fair and equitable that new residents pay their share of the buying cost to existing infrastructure, taking into account those factors identified in U.C.A. §11-36-201; and

WHEREAS, all sources of revenue have been analyzed and considered by the City; and

WHEREAS, a written analysis dated February 28, 1997, has been prepared for the City by impact fee consultants; and

WHEREAS, that written analysis has been available for public inspection for at least 14 days;
and

WHEREAS, the analysis identifies the impact on improvements needed to the water system, electric power system, sewer system, storm water facilities, and the recreation facilities required by the development activities; and

WHEREAS, the analysis demonstrates how those impacts on the improvements are related to the development activities; and

WHEREAS, the analysis makes a conservative estimate of the proportionate share of the cost of impacts on the system improvements that are reasonably related to the development activity; and

WHEREAS, the analysis identifies the amount of impact fee that could be imposed and how that fee was calculated; and

WHEREAS, the City has identified and analyzed, through the impact fee analysis, those criteria set forth in Utah Code Ann. §11-36-201(5(b)); and

WHEREAS, the impact fee proposed by this impact fee enactment does not exceed the highest fee justified by the impact fee analysis; and

WHEREAS, a public meeting was held with Spanish Fork City staff and numerous developer and contractors on the 19th day of February 1997, wherein they were informed of the findings of the impact fee analysis and their comment and input was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on the 18th day of March 1997, wherein public input was received, not only from concerned citizens, but from developers involved in the current development within the City; and

WHEREAS, the impact fee enactment has been available for public inspection for at least 14 days preceding the public hearing; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of the City, it is necessary to impose an impact fee on new development to pay for the improvements made necessary to the culinary water system sewer system, electric system, storm water facilities, and recreational facilities by that new development;

NOW THEREFORE, be it enacted and ordained by the Spanish Fork City Council as follows:

SECTION I

1. A culinary water impact fee is hereby imposed for each residential dwelling unit located in the City.

2. The amount of the impact fee for culinary water is \$1069.00 for each single family detached residence, and \$787.00 for all other residential units.

3. A culinary water impact fee is hereby imposed for each building in the City based upon the size of meter providing culinary water to the building.

4. The amount of the impact fee for culinary water for non-residential users is \$1176.00 for a three-quarter (3/4) inch meter; \$1,497.00 for a one inch meter; \$1,925.00 for a one and one-half (1½) inch meter; \$3,101.00 for a two inch meter; \$11,763.00 for a three inch meter; and \$14,971.00 for a four inch meter. Fees for meters larger than four inches will be based on an annualized average day demand and the net capital cost per gallon of capacity.

5. A recreational facility impact fee is hereby imposed for each residential dwelling in the City.

6. The amount of the recreational facility impact fee is \$1,100.00 per single family detached residential dwelling. All other residential dwellings shall pay an impact fee of \$810.00 per unit.

7. A municipal power impact fee is hereby imposed for each building in the City based upon the size of service.

8. The amount of the impact fee shall be as follows:

Single Phase Service Size (KVA)

24 (100A 120/240V)	\$ 442
30 (125A 120/240V)	\$ 517
36 (150A 120/240V)	\$ 593
48 (200A 120/240V)	\$ 744
54 (225A 120/240V)	\$ 819
96 (400A 120/240V)	\$1,348
125	\$1,708
150	\$2,021
225	\$2,962

Three Phase Service Size (KVA)

75.0	\$1,083
112.5	\$1,555
150.0	\$2,027
225.0	\$2,971
300.0	\$3,915
500.0	\$6,432
750.0	\$9,578
1000.0	\$12,724

9. A sewer system impact fee is hereby imposed for each building in the City based upon the size of water meter providing culinary water to the building.

10. The amount of the impact fee for sewer is \$1,326.00 for single family detached residential buildings, \$976.00 for all other residential buildings. For nonresidential building, the impact fee shall be \$1,459.00 for a three-quarter (3/4) inch meter, \$1,857.00 for a one inch meter, \$2,387.00 for a one and one-half (1½) inch meter, \$3,846.00 for a two inch meter, \$14,587.00 for a three inch meter, and \$18,566.00 for a four inch meter. Meter sizes over four inches will pay an impact fee based upon the annualized day demand and the net capital cost per gallon of capacity.

11. There is hereby imposed a storm water facilities impact fee in those areas identified in addendum attached hereto. The impact fee is based upon a capital cost per acre determined by the estimated cost of the specific improvements required in the specific area identified. For nonresidential users, the impact fee will be based upon the gross floor area determined by the estimated cost of the improvements in this specific area identified.

12. The amount of the impact fee for storm water facilities in the Northeast Bench area (as shown on the attached map) is \$261.00 per unit. In the Southeast Bench area (as shown on the attached map), the amount of the impact fee is \$210.00 per single family detached units, \$115.00 per unit for all other residential uses, \$216.00 per every 1000 square feet, or portion thereof, of floor area for commercial or shopping center uses, and \$176.00 per 1000 square feet of floor area, or portion thereof, for office or institutional uses. In the Westfields area (as shown on the attached map), the impact fee shall be \$416.00 for single family detached units, \$223.00 per unit for all other residential uses, \$399.00 per 1000 square feet of floor area, or portion thereof, for commercial or shopping center uses, \$346.00 per 1000 square feet of floor area, or portion thereof, for office or institutional uses, and \$286.00 per 1000 square feet of floor area or portion thereof, for light industrial uses.

13. Impact fees for storm water facilities shall be collected prior to the recording of a final plat. Buildings not in a platted subdivision shall pay the impact fee as a condition of obtaining a building permit.

14. All other impact fees are due and payable when the building permit is obtained and shall be a condition precedent to the issuance of the building permit.

15. All impact fees are in addition to any other fees due upon the issuance of a building permit.

16. The impact fee shall be deposited into an interest bearing ledger account and may be only used for capital improvements to the capital facility system for which the fee was collected. These improvements may include analysis costs, the construction contract price, the cost of acquiring land, improvements, materials, and fixtures, the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements, the debt service charges incurred if the improvements are financed by bonds, notes, or other obligations carrying debt service charges, and for the cost of issuance of any such bonds, notes or other obligations.

17. The impact fees may not be used for operation or maintenance costs for any public facilities within the City.

18. Special exceptions, waivers, or credits may be granted, in the sole discretion of the council, upon application in accordance with the Spanish Fork City Municipal Code Section 16.24.050.

19. In order to protect the health, safety, and welfare of the residents of the City, the impact fees identified herein shall become effective immediately.

20. These impact fees are for system improvements and in no wise repeal or rescind the water transfer required upon development, pursuant to Spanish Fork Municipal Code §13.12.010(B), to insure that an adequate supply of water exists.

SECTION II

This ordinance shall not be part of the Municipal Code.

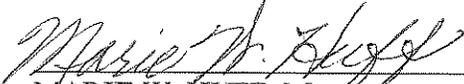
SECTION III

WHEREFORE, to protect the safety and welfare of the citizens of Spanish Fork City, this ordinance shall take effect immediately upon posting.

SECTION IV

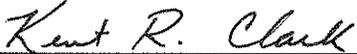
PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL OF
SPANISH FORK, UTAH, this 1st day of April, 1997.

DATED this 1st day of April, 1997.

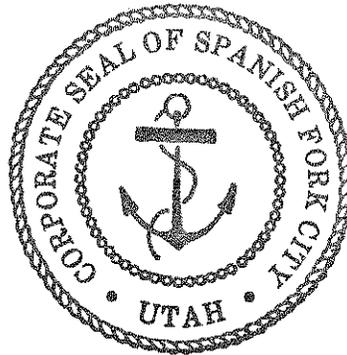


MARIE W. HUFF, Mayor

ATTEST:



KENT R. CLARK, City Recorder



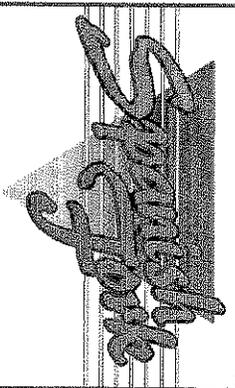
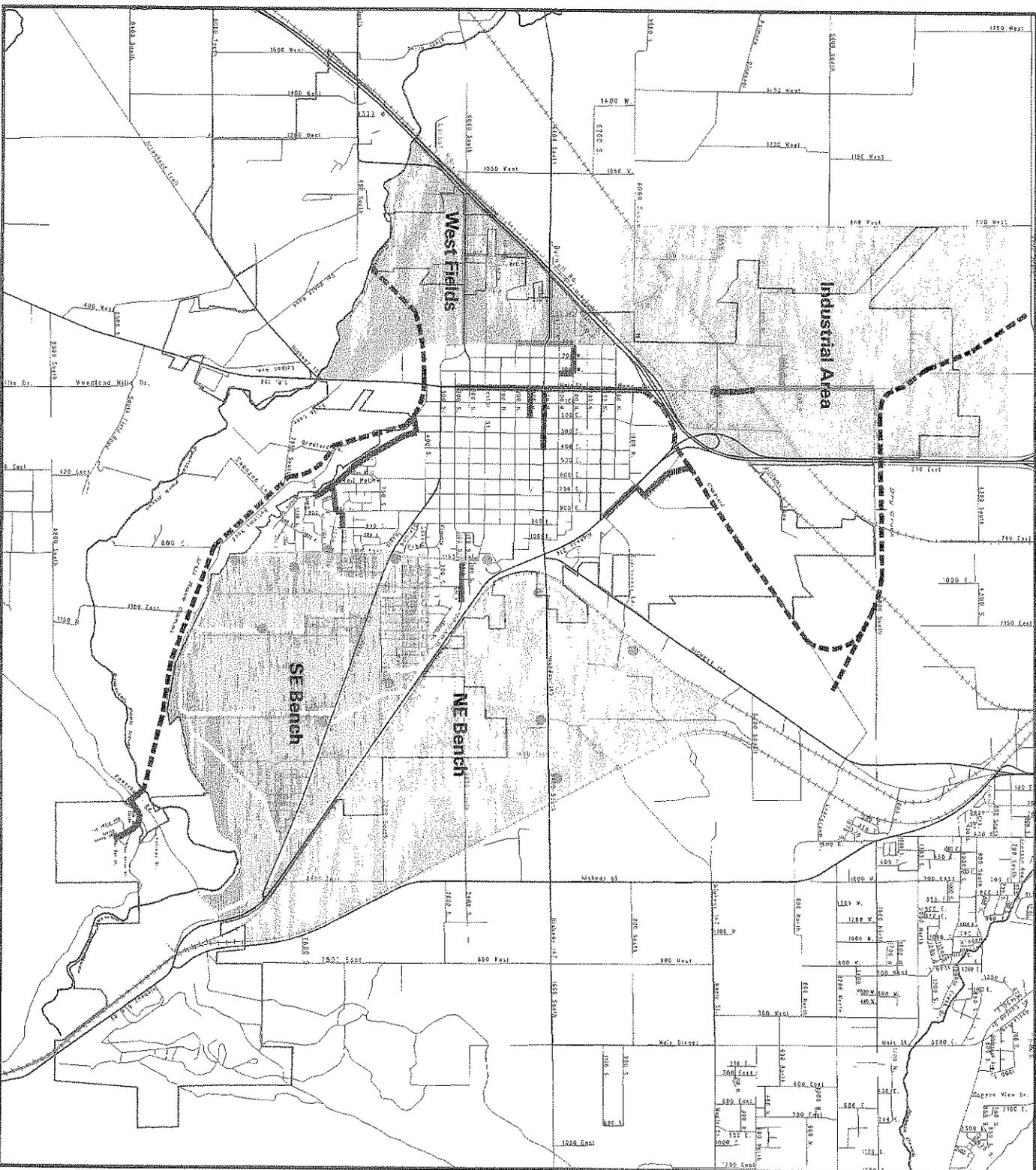
Spanish Fork City Storm Drain Plan Map (SD-1)

1 in = 3200 ft
Plot Created: January 30, 1997



Map Legend

-  Industrial Area
-  West Fields
-  North East Bench
-  South East Bench
-  Existing Storm Drain Lines
-  Proposed Storm Drain Lines
-  Existing Creek and Canal
-  Drainage Areas
-  City Boundary
-  Proposed Retention Basins



Spanish Fork City Engineering
40 South Main St.
Spanish Fork, Utah 84660
(801) 798-5080

Gina published

Proof of Publication

J. Lane Henderson being first duly sworn according to law, disposes and says that he is the **Publisher** of **THE SPANISH FORK PRESS**, a weekly newspaper, printed and published at Spanish Fork, Utah County, Utah, and of general circulation therein; that the Notice, a copy of which is hereto attached, was printed and published in said paper.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing concerning impact fees will be held before the Spanish Fork City Council on Tuesday, the 18th day of March, 1997, at 7:15 pm in the City Council Chambers, 40 South Main Street, Spanish Fork, Utah. A copy of the impact fee enactment is available for public inspection at the City Office. The public is invited to participate in all Spanish Fork City Council Meetings. If you need special accommodation to participate in the meeting, please contact the City Managers Office at 798-5000.

Published in the Spanish Fork Press February 27, 1997.

for One consecutive weeks,
the first publication on the 27 day
of February 19 97
and the last on the 27 day of
February 19 97

Jane Henderson

Subscribed and sworn to before me this 27 day of February 19 97
Sara Worthington
Notary Public

Residing at Spanish Fork, Utah
My Commission expires 3-14-99



Proof of Publication

J. Lane Henderson being first duly sworn according to law, disposes and says that he is the *Publisher* of *THE SPANISH FORK PRESS*, a weekly newspaper, printed and published at Spanish Fork, Utah County, Utah, and of general circulation therein; that the Notice, a copy of which is hereto attached, was printed and published in said paper.

ORDINANCE 06-97

IMPACT FEE ENACTMENT ORDINANCE

Notice is hereby provided that Spanish Fork City has adopted an Impact Fee Enactment Ordinance implementing impact fees as follows:

The amount of the impact fee for culinary water is \$1069.00 for each single family detached residence, and \$787.00 for all other residential units.

The amount of the impact fee for culinary water for non-residential users is \$1,176.00 for a three-quarter (3/4) inch meter; \$1,497.00 for a one inch meter; \$1,925.00 for a one and one-half (1 1/2) inch meter; \$3,101.00 for a two inch meter; \$11,763.00 for a three inch meter; and \$14,971.00 for a four inch meter. Fees for meters larger than four inches will be based on an annualized average day demand and the net capital cost per gallon of capacity.

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The amount of the electric impact fee shall be as follows:

Single Phase Service Size

(KVA)

24 (100A 120/240V):	\$ 442
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150:	\$2,021
225:	\$2,962
Three phase service size	
(KVA)	
75.0:	\$1,083
112.5:	\$1,555
150.0:	\$2,027
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300.0:	\$3,915
500.0:	\$6,432
750.0:	\$9,578
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PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL this 1st day of April, 1997.

A full copy of the ordinance is available at the City Office, 40 South Main Street, Spanish Fork, Utah.

Published in the Spanish Fork Press on April 17, 1997.

for One consecutive weeks,
the first publication on the 17th day
of April 19 97
and the last on the 17th day of
April 19 97
Jane Henderson

Subscribed and sworn to before me this 17th day of April 19 97

Sara
Notary Public



Residing at Spanish Fork, Utah

My Commission expires 3-14-99