

## RESOLUTION NO. 99-18

### ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i>		
SHERMAN E. HUFF <i>Councilmember</i>	X	
EVERETT KELEPOLO <i>Councilmember</i>	X	
THORA L. SHAW <i>Councilmember</i>	X	
LILLIAN J. SHEPHERD <i>Councilmember</i>	X	
CLYDE A. SWENSON <i>Councilmember</i>	X	

I MOVE this resolution be adopted: Councilmember Swenson

I SECOND the foregoing motion: Councilmember Shepherd

### RESOLUTION 99-18

#### A RESOLUTION AUTHORIZING THE IMPOSITION OF INSPECTION FEES

WHEREAS, Spanish Fork City is undergoing extensive and unprecedented growth; and

WHEREAS, much of the growth is in the form of new subdivisions which require infrastructure such as water lines, sewer lines, and other related matters being installed by the developer; and

WHEREAS, this infrastructure will eventually be owned by the City and must be constructed according to the City specifications and standards; and

WHEREAS, in order to ensure that the applicable standards are met, inspections need to

be conducted during the excavation, installation, and compaction phases of the projects; and

WHEREAS, the City has, on staff, one full time inspector, who currently is unable to keep up with the demand; and

WHEREAS, there are private companies with resources that can assist the City in conducting these inspections; and

WHEREAS, section 16.20.020 of Spanish Fork City Municipal Code authorizes the imposition of fees incurred for such inspections; and

WHEREAS, it is fair and reasonable that the City recover the cost of these inspections, both for any outside help which is hired and also for its own staff;

NOW, THEREFORE, be it resolved by the Spanish Fork City Council, pursuant to the authority vested by section 16.20.020 of the Spanish Fork Municipal Code, as follows:

1. There is hereby imposed upon each subdivision plat or site plan which requires infrastructure, an inspection fee. The amount of the fee will be seven percent (7%) of the bond amount in the case of a subdivision, or seven percent (7%) of the estimated cost of the infrastructure in the event of a site plan.
2. The fee required herein shall be paid, in cash, to the City prior to the recording of any plat or prior to the issuing of any building permit in the case of a site plan.
3. The City will track the actual costs of inspection incurred for each project, both for hired inspections and for City staff. The cost of such inspections will be paid for from the seven percent (7%) inspection fee. In the event that the actual costs are less than the seven percent (7%) fee, the balance will be refunded to the person who paid the same, without interest. In the event that the inspection costs exceed the seven percent (7%), the person responsible for the same will receive a billing for the excess costs. Such billing will be due within 30 days of

receipt, without interest. If not timely paid, the City may withhold payment from the bond posted for the improvements, or may withhold any further building permits or certificates of occupancy in the subdivision or for the site plan until the fees are paid. Interest will begin to accrue after the 30 days at the rate of one percent (1%) per month (12% per annum).

4. All costs of outside inspectors will have added to their invoice a ten percent (10%) administrative fee to partially reimburse the City for the expenses of tracking and handling the inspection matters.

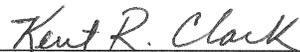
5. This resolution shall become effective immediately and will apply to any unrecorded plats as of this date.

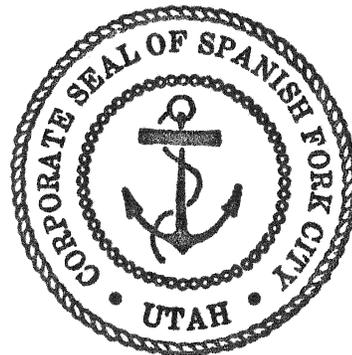
6. This resolution shall take precedence to any prior resolution or requirement which is in conflict herewith.

DATED this 19<sup>th</sup> day of October 1999.

  
\_\_\_\_\_  
DALE R. BARNEY, Mayor

ATTEST:

  
\_\_\_\_\_  
KENT R. CLARK, City Recorder



STATE OF UTAH            )  
                                      : SS.  
COUNTY OF UTAH        )

Kent R. Clark, being first duly sworn, deposes and says that he is the duly appointed and qualified recorder of Spanish Fork City, County of Utah, State of Utah; that as part of his duties to keep the minutes and ordinances of Spanish Fork City, that the attached resolution is the same as the resolution passed on the 19<sup>th</sup> day of October, 1999, by the Spanish Fork City Council.

*Kent R. Clark*  
KENT R. CLARK, City Recorder

Subscribed and sworn to before me this 19 day of October, 1999.



*Gina Peterson*  
NOTARY PUBLIC