

**ORDINANCE NO. 261-20**

**AN ORDINANCE TO REPEAL THE CULINARY WATER CAPITAL FACILITY PLAN AND IMPACT FEE STUDY, AUGUST 2007 AND ESTABLISHING AN ORDINANCE OF UINTAH CITY ADOPTING THE CULINARY WATER CAPITAL FACILITIES PLAN; AND ADOPTING AND ENACTING THE IMPACT FEE ANALYSIS AND WEBER BASIN CAPITAL CHARGE FEE FOR THE PROVISION OF CULINARY WATER, AND OTHER RELATED MATTERS**

**WHEREAS**, Uintah City (the "City") is a municipal corporation created and existing under the laws of the State of Utah;

**WHEREAS**, Pursuant to Utah Code Ann. Section 10-8-84(1), the City has authority to adopt ordinances necessary to "provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city";

**WHEREAS**, The City has legal authority, pursuant to Title 11, Chapter 36a Utah Code, Annotated, as amended ("Impact Fees Act"), to impose development impact fees as a condition of development approval, which impact fees are used to defray capital infrastructure costs attributable to growth activity;

**WHEREAS**, historically, the City has assessed impact fees as a condition of development approval in order to appropriately assign capital infrastructure costs to development in an equitable and proportionate Manner;

**WHEREAS**, The City Council directed Jones and Associates to prepare a Written Impact Fee Study to be completed for the City conducted consistent and in compliance with the Impact Fees Act. A copy of the Culinary Water Capital Facilities Plan; Impact Fee Analysis and Weber Basin Capital Charge Fee are attached as Exhibit A; and

**WHEREAS**, the Uintah City Council held a public meeting and considered all competent evidence offered in support of and opposed to said proposed adoption.

**NOW THEREFORE**, be it ordained by the Uintah City Council as follows:

**SECTION 1: REPEALER**

The Culinary Water Capital Facility Plan and Impact Fee Study dated August 2007 is hereby repealed in its entirety on the 91<sup>st</sup> day after enactment.

**SECTION 2: ADOPTION AND ENACTMENT OF IMPACT FEES**

The Culinary Water Capital Facilities Plan; Impact Fee Analysis and Weber Basin

Capital Charge Fee dated September 2020 are hereby adopted and approved;  
and;

The Impact Fee Enactment 90 day waiting period begins upon date of approval.

**SECTION 3: SAVINGS AND SEVERABILITY**

If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**SECTION 4:** This ordinance shall take effect immediately upon its passage and any posting required by law.

**PASSED AND ADOPTED** by the City Council of Uintah this 6<sup>th</sup> day of October 2020.

MAYOR: *Gordon S. Cutler*  
Gordon Cutler

**ATTEST:**

*Darinda Wallis*  
Darinda Wallis, City Recorder

**CITY COUNCIL VOTE AS RECORDED:**

	Aye	Nay
Mayor Cutler:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Roberts:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Bell:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Boothe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Smith:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

