

## **9-2-2: PRELIMINARY FINDINGS:**

- A. The city council finds that it is in the best interest of the city to enact an ordinance requiring the payment of impact fees as a condition to the receipt of water and wastewater collection and treatment service from the city for the properties and facilities which are connected to and served by the facilities of the city.
- B. This chapter is based upon the experience of the city, the 2002 capital facilities plan adopted by the city council, and the 2002 impact fee analysis, which has been approved by the city council after notice and public hearing, as required by Utah law. The city finds that all required notices have been given and made and the city is entitled to adopt this impact fee chapter requiring the payment of impact fees.
- C. In the enactment of the 2002 capital facilities plan, impact fee analysis and this chapter, the city has taken into consideration, and in certain cases will consider on a case by case basis in the future, the future capital facilities needs of the city, the capital financial needs of the city which are the result of the future facilities needs of the city, the distribution of the burden of costs to different properties within the city based on the use of the water and sewer systems of the city by such properties, the financial contribution of those properties and other properties similarly situated in the city at the time of computation of the required fee and prior to the enactment of this chapter, all revenue sources available to the city and the impact on future water and sewer system improvements which will be required by new development activities in the city.
- D. The city council finds that future development activities will cause a need for water and sewer system improvements and the capital facility improvement requirements which are analyzed in the capital facilities plans and impact fee analysis are the direct result of additional facility needs caused by future development activities.
- E. The city council finds that the impact fees which are required to be paid in the future under this chapter adopted herein are necessary to achieve an equitable financial allocation between the costs paid by properties in the city in the past and the costs to be paid in the future, in comparison to the benefits received by properties connected to the city in the past, and those properties to be connected to the city system in the future as a result of development activity. (Ord. 03-26-02, 3-26-2002)

