

**ORDINANCE NO. 2021-011**

**AN ORDINANCE ADOPTING A SEWER COLLECTION IMPACT FEE PER PROVIDENCE CITY'S WASTEWATER COLLECTION SYSTEM MASTER PLAN**

**WHEREAS**, Providence City (the "City") is a political subdivision of the State of Utah, authorized and organized under applicable provisions of Utah law; and

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

**WHEREAS**, the City does not currently charge an impact fee for Sewer Collection;

**WHEREAS**, wastewater treatment service for the City is provided by Logan City Corporation ("Logan City") pursuant to interlocal agreements dated June 19, 2017; collectively referred to as the "Logan City Agreements"; and

**WHEREAS**, the City desires to implement an impact fee for Sewer Collection services, referred to hereafter as "Sewer Collection Impact Fee" in accordance with applicable provisions of the Impact Fees Act in order to appropriately assign capital infrastructure costs to development in an equitable and proportionate manner as more particularly provided herein; and

**WHEREAS**, the proposed Sewer Collection Impact Fee is based upon the same ERU method as that used by Logan City for the treatment impact fee that has been established by Providence City, which the City Council hereby finds to be a reasonable plan that otherwise complies with the common law and the Act; and

**WHEREAS**, the Sewer Collection Impact Fee established by this ordinance is reasonable related to the cost of providing such public facilities necessitated by anticipated future growth within the City, said fee does not exceed the highest fee justified by the Impact Fee Analysis with a maximum collection impact fee amount of \$2,850/ERU.

**WHEREAS**, The Sewer Collection Impact fee will be consider separate from that of the Wastewater Treatment Impact Fee and is subject to termination at any time with no effect on the Treatment Impact Fee that has already been established per Cities Resolution 10-2020, and,

**WHEREAS**, the City has provided the required notice and public hearing requirements as established under the Act and related statutes; and

**WHEREAS**, a public hearing was held before the City Council on July 21st, 2021 to receive public input and comment regarding the proposed Sewer Collection Impact Fee.

**WHEREAS**, further information regarding the establishment of this impact fee can be found in Providence City's Wastewater Master Plan Section 6.0 User Rate and Impact Fee Analysis.

**THEREFORE**, be it ordained by the Providence City Council:

- Grants the execution of establishing a Sewer Collection Impact Fee that will adhere to the outline and recommendations of the Wastewater Master Plan referenced and set forth in Section 6.0 titled User Rate and Impact Fee Analysis.
- Will amend Providence City Code 9-1A-1 Reports Adopted to include Providence City's 2020 Wastewater Collection System Master Plan Report: User Rate and Impact Fee Analysis.
- The Sewer Collection Impact Fee is to be set and used per its established eligibility for and on behalf of the future growth of Providence City.
- The Sewer Collection Impact Fee amount will be set at \$2,850/ERU.

Passed by vote of the Providence City Council this 21st day of July 2021.

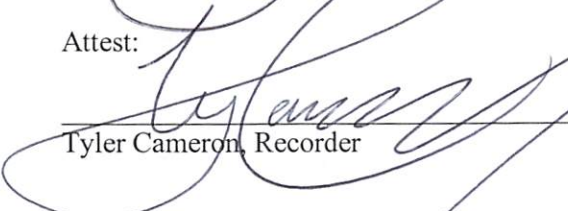
Council Vote:

Eck, Kristina	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Kirk, Carrie	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Paulsen, Joshua	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Sealy, Jeanell	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Speth, Brent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent

Providence City

  
\_\_\_\_\_  
John Drew, Mayor

Attest:

  
\_\_\_\_\_  
Tyler Cameron, Recorder

