

RESOLUTION NO. R 01-2002

**A RESOLUTION OF THE GOVERNING BODY OF EAGLE MOUNTAIN CITY
AMENDING THE EAGLE MOUNTAIN CITY CONSOLIDATED FEE
SCHEDULE**

WHEREAS, the governing body of Eagle Mountain is empowered pursuant to Utah law to adopt a resolution establishing fees and has previously established an equitable system of fees to cover certain costs of providing some municipal services; and

WHEREAS, the City Council finds that it is in the public interest to reaffirm all fees and charges previously enacted except for those fees and charges which are specifically amended or changed in this resolution; and

WHEREAS, the City Council believes it is in the public interest to approve the recommendation from the public works board to change certain connection fees to increase the connection fees for water, power, and natural gas service.

NOW, THEREFORE be it resolved by the City Council of Eagle Mountain City that the fees and charges set forth in this resolution are hereby enacted and adopted:

1. The following fees are hereby imposed as set forth herein:

1.1 Miscellaneous Fees:

1.1.1.	Compiling records in a form other than that are maintained by the City – actual cost and expense for employee time or time of any other person hired plus supplies and equipment.	Minimum charge of \$10.00 per request
1.1.2.	Certification of record.	\$1.00/certification
1.1.3.	Postage.	Actual cost to City
1.1.4.	Other costs allowed by law.	Actual cost to City
1.1.5.	Miscellaneous copying.	\$0.10/printed page (8 ½ X 11)
		\$0.15/printed page (11 X 14)
		\$0.20/printed page (11 X 17)
1.1.6.	Electronic copy of minutes of meetings.	\$30.00 per meeting
1.1.7.	Bound copy of Development Code.	\$22.00
1.1.8.	Bound copy of Address Index.	\$19.00
1.1.9.	Standard Specifications.	\$20.00
1.1.10.	Policies and Procedures Manual.	\$20.00
1.1.11.	Street Map (8 ½ X 11).	\$1.00
1.1.12.	Zoning Map.	\$5.00
1.1.13.	General Plan.	\$10.00
1.1.14.	Subdivision Ordinance Packet.	\$5.00
1.1.15.	Recreation Master Plan (bound copy).	\$30.00
1.1.16.	Capital Facilities Plan.	\$15.00

1.2 Library:

1.2.1. Overdue Book Fee \$0.05 per day

1.3 Animal Control:

1.3.1. Dog License Fee as per Utah County Animal Control Shelter Fee Schedule

- 1.3.2. Redemption Fees.... per Utah County Animal Control Shelter Fee Schedule Fee Schedule and associated pickup and impound costs.

1.4 Building Inspections:

- 1.4.1. Fees charged for building permits are set forth in the 1997 Uniform Building Code (Table 1-A), fee schedule un-amended
- 1.4.2. Plan Review Fees.....65% of the permit fee per UBC 107.3.
- 1.4.3. Plan Review Fee for Registered Plans.....\$250.00
- 1.4.4. Refunds for permits issued will be limited to 80 percent of the permit costs, not later than 90 days after the date of fee payment. No refunds for plan review costs will be given if the plan review has been conducted.
- 1.4.5. One-percent surcharge per building permit (Utah Code):
 - 1. 80 percent submitted to Utah State Government.
 - 2. 20 percent retained by City for administration of State collection.
- 1.4.6. Buildings of unusual design , excessive magnitude, or potentially hazardous exposures, may, when deemed necessary by the Building Official, warrant an independent review by a design professional chosen by the Chief Building Official. The cost of this review may be assessed in addition to the building permit fee set forth in subsection 1.4.2. above.
- 1.4.7. Fast Track Fee\$250.00
- 1.4.8. Temporary Occupancy Fee..... \$100.00 plus 120% of value of uncompleted items
- 1.4.9. Plumbing Permit Fees As per UPC Table 1-1
- 1.4.10. Mechanical Permit Fees As per UMC Table 1-1
- 1.4.11. Electrical..... .075% x Sq. ft
- 1.4.12. Board of Appeals (note sec. 105 UBC).....\$100.00
- 1.4.13. Residential Buildings with basements (in addition to regular building permit fees).....\$200.00

1.5. Business License Fees:

- 1.5.1. Home Occupations.....\$40.00 + \$4 for Each Non-Family Employee
- 1.5.2. Commercial \$80.00 + \$4 for each Employee
- 1.5.3. Business License Renewal Late Charge after 8/15 of each year25% Additional
- 1.5.4. Temporary Licenses: Canvasser, Solicitors, and Other Itinerant Merchants
 - 1. Application Fee 0
 - 2. License Fee.....\$10.00 for 10 consecutive calendar days
 - 3. Home Sales License Fee.....\$2.00 for 10 consecutive calendar days
 - 4. License for Public Assemblies of 30 or more people \$100.00 per day
- 1.5.5. Bond for Contracting Bonding License.....\$5,000.00
- 1.5.6. Liquor License.....\$300.00
- 1.5.7. Prorating of Fees:
 - 1. All business licenses issued after the commencement of the current license year (July 1st through June 30th) shall be prorated semiannually according to the following schedules, except that no annual license fee of thirty-five dollars or less shall be prorated.
 - 2. On or after January 1st but prior to July 1st, the fee shall be one half the annual fee.
 - 3. On or after July 1st but prior to January 1st, the fee shall be the annual fee.

1.6 Ordinance Enforcement:

- 1.6.1. Abatement of injurious and noxious real property and unsightly or deleterious objects or structuresActual cost of abatement plus 20% of actual cost

- 1.6.2. Burn Permit Fees:
 - 1. Agricultural Burn Permit Fee (expiration end of year).....\$25.00
 - 2. Open Burn Permit Fee (expiration 30 days).....\$10.00
 - 3. Recreational Burn Permit Fee (expiration 30 days).....\$10.00
 - 4. Fine for Burning without a Burn Permit..... As provided by law

1.7 Community Development:

- 1.7.1. Master Development:
 - 1. Master Development Plan Application or Amendment (Except for Annexation) \$2,000.00
 - 2. Capital Facility Plan Amendment Application Fee per Development.....\$9,750.00
- 1.7.2. Rezoning Request\$1,350.00
- 1.7.3. Conditional Use:
 - 1. Conditional Use (new).....\$500.00
 - 2. Conditional Use (amendment).....\$200.00
- 1.7.4. Subdivisions:
 - 1. Subdivision Concept Plan..... \$300.00 plus \$5.00 for each ERU over 40
 - 2. Plan Amendment Fee (per amended lot).....\$1,500.00 plus \$25.00/Lot
 - 3. Recording Fee Current fee charged by Utah County Recorder
 - 4. Minor Development Processing Fee.....\$55.00/Lot or \$500.00/acre if not a subdivision
 - 5. Preliminary Plat & Major Development Processing Fee \$400.00 plus \$60.00/Lot
 - 6. Condominium Fees:
 - 1. Conceptual Review.....\$500.00 + \$10.00 per ERU
 - 2. Preliminary Plat Review\$1,300.00 + \$26.00 per ERU
 - 3. Site Plan and Final Plat Review.....\$1,600.00 + \$50.00 per ERU
 - 7. Final Plat & Development Agreement Processing Fee..... \$400.00 plus \$95.00/Lot
 - 8. Inspection Fees: (Based on Engineer's Estimate of Project Cost)
 - 1. \$1.00 to \$50,000 5%
 - 2. \$50,001 to \$250,000 \$2,500 for first \$50,000 plus 2 ½ %
 - 3. \$250,001 to \$500,000 \$7,500 for first \$250,000 plus 2%
 - 4. \$500,001 to \$750,000 \$12,500 for first \$500,000 plus 1 ½ %
 - 5. Over \$750,001 \$16,250 for first \$750,000 plus 1%
 - 9. Contractors, Subdivisions & Building Bonds:
 - 1. Performance and Guaranty..... 110% of Value plus two-year warranty
 - 2. Contractor Infrastructure Protection Bond\$5,000.00 Cash Bond
 - 10. Lot Split Application Fee.....\$1,600.00
- 1.7.5. Site Plan Review Fees:
 - 1. Residential Site Plan Review Fee..... \$60.00/D.U.
 - 2. Commercial Site Plan Review Fee\$4,000.00 plus \$500.00 per acre
 - 3. Temporary Commercial Site Plan Review Fee\$1,580.00
- 1.7.6. Annexation:
 - 1. Application Fee..... \$1,500.00 plus \$5.00 per acre
 - 2. Master Development Plan Review Fee (Annexation only).....\$6,000.00
- 1.7.7. Signs:
 - 1. Permit Fee per Sign Face..... \$50.00 (except as abated by the City Council)
 - 2. Impound Release Fee..... \$150.00 per sign
 - 3. Master Signage Plan Application\$1,000.00
 - 4. Master Signage Plan Amendment Fee..... \$100.00 per application plus \$10.00 per sign
- 1.7.8. Streets:
 - 1. Street dedication or vacation.....\$300.00
 - 2. Street name change application.....\$100.00
 - 3. New street sign for name change approval \$175.00 per sign
- 1.7.9. Board of Adjustment: variance, non-conforming use, conditional use appeal, appeal of Zoning Administrator.....\$100.00
- 1.7.10. Alternate Subdivision Processing Fee at election of Developer Applicant:

1. Deposit at Preliminary Plat Application of \$150.00 per lot for processing Preliminary and Final Plats and attendant documents. Actual City cost of processing application plus 10% Administration Fee will be billed against deposit. Any amount of the deposit remaining at plat recordation will be returned to the applicant after recordation of plat(s). If the deposit is fully used and additional costs are incurred by the City, any amount owing will be paid before recordation of plat(s) or document(s).

1.8 Utility Rates and Fees:

1.8.1. Concrete Inspection Permits:

1. Curb and gutter.....\$1.00 per linear foot
2. Sidewalk\$0.75 per linear foot

1.8.2. Excavation Permits, Asphalt/Concrete Cuts/Unimproved Surface:

1. Minimum fee for cuts in paved surfaces more than 3 years old\$300.00
2. Minimum fee for cuts in paved surfaces 3 years old or less.....\$2,000.00

1.8.3. Grading Permit:

1. 101 – 1,000 Yd³..... \$37.00 for first 100 Yd³, plus \$17.50 each additional Yd³
2. 1001 – 10,000 Yd³..... \$194.50 for first 1000 Yd³, plus \$14.50 each additional Yd³
3. 10,001 – 100,000 Yd³.....\$325.00 for first 10,000 Yd³, plus \$66.00 each additional Yd³
4. Over 100,001 Yd³.....\$919.00 for first 100,000 Yd³, plus \$36.50 each additional Yd³

1.8.4. Water Rates Service Fees:

1. Deposit.....\$40.00
2. Minimum Monthly Charge\$20.00
3. Usage Rate for first 10,000 gallons\$20.00
4. Usage Rate for 10,001 to 30,000 gallons\$1.00 per 1,000 gallons
5. Usage Rate for 30,001 to 60,000 gallons\$2.00 per 1,000 gallons
6. Usage Rate for everything above 60,000 gallons\$3.00 per 1,000 gallons
7. Construction Water Fee Meter Rental -\$1,000.00
.....plus Water Usage Rate of \$4.00 per 1,000 gallons plus \$10.00 per day
8. Open Space Usage Rate\$1.15 per 1,000 gallons
9. Meter Connection Fees: (In addition to Impact Fees where applicable)
 1. Single Family Residential (meter size-5/8" or 3/4")\$450.00
 2. Commercial, Industrial or Multi Family Residential
..... Estimated Cost of Connection plus 15% Administration Fee
 3. Impact Fee.....Additional when applicable
10. All water used for construction or prior to occupancy shall be properly metered.
A \$500.00 fine for each offense shall be assessed to any person, contractor, developer, company or other party using un-metered water, an unauthorized jumper connection, or who uses municipal water without an approved water meter.

1.8.5. Sewer Rate and Fees:

1. Single Family Residential Usage Rate.....\$25.00 per month
2. Schools, Businesses and Churches80% of Water Used for Culinary Purposes
3. Single Family Residential Connection Fee \$100.00 per ERU
(Impact Fee Additional Where Applicable)
4. Commercial, Industrial, or Multi Family Connection Fee
..... Estimated Cost of Connection plus 15% Administration Fee
(Impact Fee Additional Where Applicable)
5. North Service Area Facilities – Extraterritorial Service Connection Fee
for each single-family residential connection.....\$150.00
6. North Service Area Facilities - Extraterritorial Service Line Capacity Fee for
SID 98-1 for each single-family residential unit\$470.00

- 7. North Service Area Facilities – Timpanogos Special Service District Connection
Fee for each single-family residential unit.....\$1,000.00
- 8. North Service Area Facilities – Extraterritorial Sewer Service Usage Fee\$37.50/month
- 1.8.6. Natural Gas Rate and Fees:
 - 1. Service Deposit\$40.00
 - 2. Usage Rate \$16.00 Base Rate plus Actual Cost of Natural Gas Fee to the City
 - 3. Single Family Residential Connection Fee \$1082.00 per ERU
 - 4. Commercial, Industrial, or Multi Family Connection Fee
..... Estimated Cost of Connection plus 15% Administration Fee
- 1.8.7. Electric Power Rate and Fees:
 - 1. Service Deposit\$40.00
 - 2. Usage Rate \$5.00 Base Rate plus \$0.0911/KWH
 - 3. Single Family Residential Connection Fee \$400.00 per ERU
(Impact Fee Additional Where Applicable)
 - 4. Commercial, Industrial or Multi Family Connection Fee
..... Estimated Cost of Connection plus 15% Administration Fee
(Impact Fee Additional Where Applicable)
- 1.9. Utility User requested Disconnect/Reconnect Fee.....\$25.00
- 1.10. Utility User Reconnect Fee (Charge for reconnection after shut off due to delinquent account.....
.....\$50.00
- 1.11. Utility Deposit Fee for Delinquent Utility Accounts (when required by Ordinance).....
..... Estimated Value of Two Months Service
- 1.12. Infrastructure Damage Fee *with* Blue Staking.... 200% of Actual Repair Cost and Associated Damages plus
..... \$250.00 for all Laterals
..... \$500.00 for Subdivision Lines
..... \$1,000.00 for Main Lines
- 1.12.1. Infrastructure Damage Fee *without* Blue StakingFee as outlined in Subsection 1.13.
..... plus \$2,000.00
- 1.12.2. Cutting into City Road or Utility without Permit..... \$1,000 per occurrence
- 1.13. Park Reservation
 - 1.13.1. Park Reservation/Resident.....\$25.00 Refundable Cleanup Deposit
 - 1.13.2. Non-Resident Daily Park Fee\$100.00 Refundable Cleanup Deposit plus \$200.00/Day Use Fee
- 1.14. Blasting Permit Fee.....\$500.00

2. PAYMENT OF CHARGES, REIMBURSEMENT FOR PROFESSIONAL FEES, AND COLLECTION, OF PAST DUE ACCOUNTS

This section amends, enacts new provisions and restates and consolidates prior resolutions of the City Council of the City of Eagle Mountain and clarifies the requirements for collection of facilities, construction payments, past due accounts and other remedies to collect past due accounts from development applicants and others.

2.1. As additional fees for development review and approval, each development applicant shall be responsible to reimburse the City of Eagle Mountain for all excess fees and charges plus 10% administrative costs incurred by the City of Eagle Mountain in the review and processing of the development applicants application for subdivision, site-plan review, building permit, Master Site Plan (original or amended) or other development review. Existing application fees stated above payable by applicants include reasonable monetary charges for professional services required to the City to review and

process the developers application, however, if the project or development review requires more professional or other third party services than anticipated and provided for in the original application fee, the developer shall be responsible to reimburse the City for the excess reasonable fees and charges incurred in the review, processing and compliance assurance required by the City to complete consideration of the developers application. Such fees and charges shall accrue to, and are payable by, the development entity which executes the development application, or enters into a development agreement with the City of Eagle Mountain as required under the City Development Code.

2.2. The City shall bill developers for excess reimbursable fees accruing under paragraph A above and all other charges on a regular basis within forty-five (45) days of the payment of such reimbursable fees and/or accrual of other charges to the developer by the City. The billing by the City shall be in reasonable detail to permit the developer applicant to determine the reason for the expenditure, the project for which the fees or charges were incurred, and the rate or other basis for the reimbursement or other charge. Billings for reimbursable fees are due upon receipt and if the balance due is not paid within thirty (30) days of mailing, the developer applicant account is delinquent and the developer applicant is in default on its reimbursement fee obligations to the City. Every billing statement from the City to a developer shall be deemed correct, accurate, undisputed and due in full unless the City Treasurer is notified in writing of a disputed bill in reasonable detail to ascertain the exact question or matter in dispute within thirty (30) days of the postmarked date on the mailed statement or the date of hand-delivery if the statement is not delivered through the U.S. Mail.

2.2.1. Developer applicants, or their representatives, may informally confer with City staff to obtain further information, ask questions, and receive clarification of charges included on the billings. An informal conference may result in changes to the invoice from the City to the developer applicant.

2.2.2. If the invoice is corrected or changed, the developer applicant shall pay the corrected invoice within fifteen (15) days of receipt of the corrected invoice.

2.2.3. If the developer applicant does not dispute the billing, request information and engage in an informal conference with staff concerning the billing, the invoice shall be due thirty (30) days from the date of the invoice. Billed invoices shall be due and payable to the City thirty (30) days from the date of the invoice in the case of undisputed invoices and fifteen (15) days after receipt of a corrected invoice in the case of an invoice corrected after an informal conference or corrected after a decision by the City Council.

2.2.4. If the developer applicant disputes any charge on the invoice from the City to the developer applicant, the developer applicant shall pay the amount of the invoice and notify the City in writing of the dispute, indicating each disputed item and the reason each disputed item is disputed. The total sum of all disputed items shall constitute the contested amount of the payment by the developer applicant to the City.

2.3. The City Treasurer shall receive the disputed payment and the contested amount and shall notify the City Recorder of the contested payment. The City Recorder shall notify the Mayor and provide the Mayor and Council with the statement of dispute received from the developer applicant.

2.3.1. The City Council shall consider the payment dispute in a regularly scheduled City meeting. Notice of the time, date and place of the meeting where the disputed statement will be considered by the City Council will be mailed to the developer applicant not less than five (5) days before the date of the meeting. The developer applicant may be present and present any statement or evidence supporting the developer applicant's position with respect to the dispute.

2.3.2. The City Council shall cause the party to whom disbursement was made by the City to be present at the hearing on the disputed amount and after hearing all of the relevant evidence and statements of parties and staff, the City Council shall vote on each disputed item and determine whether or not to direct a refund to the developer applicant for any disputed charge. A final decision by the City Council may be made in the absence of the developer applicant disputing the statement in dispute.

2.4. Developer applicants must remain in good standing with all amounts due and payable to the City paid as such amounts become due. Developers or Master Developers who are delinquent in payment of reimbursable fees and charges to the City except facilities construction fee payments under Section 2.4.1, 2.4.2 and 2.4.3, or other charges to the City, are deemed to be in default and all processing of all applications before the City staff, Planning Commission or City Council shall be tabled until the developer

applicant's default is cured by the timely payment of all fees and charges or the execution of an agreement for the payment of all fees and charges acceptable to the City Treasurer or Administrator. Except as provided below, City staff are specifically instructed to verify that each Master Developer or developer applicant is in good standing with respect to all fees and charges owed to the City before presenting developer applications to the Planning Commission agenda or to the City Council agenda, and specifically before recordation of plats or final signing and approval of site-plans, building permits, or other development approval applications.

2.4.1. Master Developers obligated to facilities construction fee payments to the City who are not current in the payment of all facilities fee construction payments and all major development applicants within the respective master development areas where the Master Developer is not current on all facilities fee construction payments, may qualify to continue to process major development subdivision applications as provided by the Development Code under special rules established in this Section 2.4.1 and in Section 2.4.2 and 2.4.3.

2.4.2. Whenever a Master Developer is not current in the payment of facilities fee construction obligations, major development subdivision applications may be processed by the Planning Commission and City Staff and City Engineer up to consideration of the final plat of the subdivision by the City Council. No final vote shall be taken on the final plat or on the approval of a development agreement if the Master Developer or subdivider is in default in the payment of facilities fee construction obligations to the City. The Council shall not vote on the final plat or the subdivision development agreement for the period of time the Developer remains in default in the payment of the facilities fee obligations. The vote may be scheduled on the final plat and subdivision development agreement after the expiration of the period of time equal to the time between the date the facilities fee payment should have been paid to the City by the Master Developer and the date the payment was received by the City.

2.4.3. Master Developers may qualify for the alternative processing provisions described in Sections 2.4.1 and 2.4.2, but shall only be qualified for the alternative processing if the Master Developer is current at the date of each processing request in the completion of all outstanding projects required to be completed at the date of the processing request. Master Developer projects include, but are not limited to, the completion of all subdivision development improvements required to be constructed by the Master Developer, the completion of parks or other improvements, or the completion of other public improvements or dedication of open space consistent with the Master Developer's

2.5 Utility customer's accounts are due and payable within thirty (30) days of the date of the utility billing. Utility customers, who do not pay the full amount of the utility billing invoice within thirty (30) days, are in default and are subject to disconnection of utilities and collection of the delinquent amounts. This section describes the process for notice to utility customers of billing delinquency, terminating service, collection of reconnection fees, and provisions for deferred payments schedule contracts.

2.5.1. Each utility invoice not paid when due shall be considered delinquent and the delinquent utility customer shall be provided a delinquent account notice requiring payment in full within seven (7) days of the date of the notice of the full past due amount.

2.5.2. In the event payment in full is not received within the seven (7) day delinquent account notice period, a termination of service/shutoff notice will be issued stating the date service will be discontinued for nonpayment if delinquent payments are not received by the City. Utility customers are invited to contact City staff during the seven (7) day delinquent account notice period to arrange a deferred payment schedule, which may be approved by the City under the provisions of Section 4 below.

2.5.3. Services terminated for non-payment of delinquent accounts shall not be reinstated until payment of the delinquent account is received or an acceptable deferred payment contract is approved by the City and the initial payment required under the deferred payment schedule is received by the City together with the reconnect fee of \$50 to reimburse the City for the professional services necessary to reinstate the utility service.

2.5.4. A deferred payment schedule contract may be entered with a delinquent customer, provided that the deferred payment schedule does not extend for a period of more than one (1) year, provides for a specific amount to be paid each month together with interest as provided in Paragraph F below. Utility customers who do not comply with the terms of an executed deferred payment schedule contract, are subject to termination of service after the City provides the delinquent account notice and the shutoff notices provided in sections 2.5.1 and 2.5.2 above. Service terminated after default on a deferred payment contract form shall not be reinstated until the entire past due amount is paid in full and a deposit as

collateral for all future service is received by the City in an amount equal to three (3) times the average monthly billing for the service in consideration.

2.6. All bills for utility service, invoices for reimbursable fees or other charges owned to the City of every kind and nature except for returned checks, shall bear interest at the rate of 1% per month on the unpaid balance due.

2.7. Each check or other instrument tendered to the City for payment of an obligation to the City and returned to the City as a dishonored instrument shall accrue the maximum penalty, services charges and other allowable fees for recovery of the amount due allowed by Utah law.

3. OTHER FEES

It is not intended by this Resolution to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other resolutions, ordinances, or laws except to effect modification of the fees reflected above. The fees listed in the Consolidated Fee Schedule supersede present fees for services specified, but all fees not listed remain in effect. Where this Resolution imposes a higher fee than is imposed or required by existing provisions, resolution, ordinance, or law, the provisions of this resolution shall control.

4. This Resolution shall take effect at 12:01 a.m. March 20, 2002

ADOPTED by the City Council of the City of Eagle Mountain this 19th day of March 2002.

City of Eagle Mountain

ATTEST:

Kelvin E. Bailey
Kelvin E. Bailey, Mayor

Janet B. Valentine, CMC
Janet B. Valentine, CMC
City Recorder

