

RESOLUTION NO. R-19-2005

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

WHEREAS, the City Council of Eagle Mountain City is empowered by law to adopt resolutions establishing fees for municipal services and has established an equitable system of fees for providing municipal services; and

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

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 for services received from Eagle Mountain City:

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
1.2.2.	Missing Barcode Fee	\$1.50 per occurrence
1.2.3.	Lost/Stolen Library Card Fee	\$3.00
1.2.4.	Processing Fee for Lost/Damaged items.....	\$2.00 per item plus item cost
1.2.5.	Returned Check Fee.....	\$25.00
1.2.6.	Sent to Collections.....	\$20.00
1.2.7.	Floppy Disk Fee.....	\$1.00 per disk
1.2.8.	Computer/Printing Fee.....	\$1.00 per page
1.2.9.	Fax Fee	\$1.00 per page
1.2.10.	Overdue Video Fee.....	\$.25 per day

1.3 Animal Control:

1.3.1.	Dog License Fee	\$1.00 Administration Fee + fees 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. Temporary Occupancy Fee..... \$100.00 plus 120% of value of uncompleted items
- 1.4.8. Plumbing Permit Fees.....As per UPC Table 1-1
- 1.4.9. Mechanical Permit Fees..... As per UMC Table 1-1
- 1.4.10. Electrical..... .075% x Sq. ft
- 1.4.11. Board of Appeals (note sec. 105 UBC).....\$100.00
- 1.4.12. Residential Buildings with basements – Fees charged for building permits are set forth in the 1997 Uniform Building Code (Table 1-A), fee schedule un-amended

1.5. Business License Fees:

- 1.5.1. Class A Business License \$100.00
- 1.5.2. Class B Business License \$10.00
- 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. All initial business licenses issued after the commencement of the current license year shall be prorated semiannually, and the fee paid for each semiannual period or fraction of such period during which the business has been or will be conducted, according to the following schedules, except that no annual license fee of thirty-five dollars or less shall be prorated:

- 1. On or after July 1st but prior to October 1st the fee shall be the annual fee.
- 2. On or after October 1st but prior to January 1st the fee shall be three quarters the annual fee.
- 3. On or after January 1st but prior to April 1st the fee shall be one half the annual fee.
- 4. On or after April 1st but prior to July 1st the fee shall be one quarter the annual fee.

1.6 Ordinance Enforcement:

- 1.6.1. Abatement of injurious and noxious real property and unsightly or deleterious objects or structures 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
- 1.6.3. Sign Impound Release Fee \$150.00 per sign (Except as abated by the City Council)

1.7 Community Development:

- 1.7.1. Master Development:
 - 1. Land Use Concept Plan* \$ 250.00
 - 2. Master Development Plan Application or Amendment..... \$2,000.00
 - 3. Capital Facility Plan Amendment Application Fee per Development..... \$9,750.00
 - 4. Concept Capital Facility Plan Amendment \$1,000.00
- 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
 - 3. Accessory Apartments..... \$230.00
 - 4. Application Fee – Alternative Animal Management Plan..... \$ 25.00
- 1.7.4. Subdivisions:
 - 1. Subdivision Concept Plan* \$300.00 plus \$5.00 for each ERU over 40
 - 2. Revised Approved Plat and Recorded Plat Amendment Fee (per amended lot) \$1,500.00 plus \$25.00/Lot
 - 3. Minor Development Processing Fee..... \$55.00/Lot or \$500.00/acre if not a subdivision
 - 4. Preliminary Plat & Major Development Processing Fee..... \$400.00 plus \$60.00/Lot
 - 5. Condominium Fees:
 - 1. Conceptual Review* \$650.00+ \$10.00 per ERU
 - 2. Preliminary Plat Review \$1,500.00+ \$26.00 per ERU
 - 3. Site Plan and Final Plat Review \$1,900.00+ \$50.00 per ERU
 - 6. Final Plat & Development Agreement Processing Fee \$400.00 plus \$95.00/Lot
 - 7. Inspection Fees: (Based on Engineer's Estimate of Project Cost)..... 3% of estimate
 - 8. 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
 - 3. Owner Builder Protection Bond.....\$1,000.00 Cash Bond
 - 9. Lot Split Application Fee \$1,600.00
 - 10. Lot Line Adjustment Fee..... \$575.00
 - 11. Revised Approved Construction Plans \$600.00
 - 12. Recordation Fee..... \$800.00
- 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. Capital Facility Plan Amendment Application Fee per Development..... \$9,750.00
- 1.7.7. Signs:
 - 1. Permit Fee per Sign Face..... \$50.00 (except as abated by the City Council)
 - 2. Sign Lease Fee \$300.00 per year
- 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. Disposal of City Property An amount to be set by action of the City Council on a case by case basis depending on the cost to the city and a fair and equitable charge to the applicant
- 1.7.11. Application for Amendment to the General Plan and Development Code including text and map amendments in the nature of property rezoning shall be subject to an application fee of \$400.00 (No fee is associated with suggestions from the public in the nature of improvements in the law, to amend the development code or general plan)

*Concept fees shall be credited towards additional application fees. Specifically, the processing fee required by the next application process shall be reduced by the amount paid for the concept plan review.

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. Monthly Base Rate \$20.00
 - 3. Overage Rate Above Base \$0.80 per kgal
 - 4. Construction Water Jumper Fee \$65.00
 - 5. Construction Water Hydrant Deposit \$500.00
 - 6. Construction Water Hydrant Rental Fee \$10.00 per day together with
..... Water Usage Rate of \$0.80 per kgal
 - 7. Open Space Usage Rate \$0.80 per kgal
 - 8. 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

Water Meter Size	Connection Fee
3/4 "	\$450.00
1"	\$640.00
1 1/2"	\$1,260.00
2"	\$1,920.00
3"	\$3,600.00
4"	\$5,120.00

- 3. Impact Fee..... Additional when applicable
- 9. Contractors shall obtain a water service meter jumper upon issuance of a building permit which shall remain on the premises described in the building permit until the permanent water meter is installed by the City and the service jumper is taken into possession by City personnel. The service jumper shall only be used on the premises described in the building permit issued with the jumper and the cost of any missing service jumper shall be deducted from the builder's security deposit if the jumper is not on the water service at installation of the meter by the City.
- 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 per ERU \$17.25 per month
 - 1a. NSA Treatment Fee per ERU..... \$11.31 per month
 - 1b. SSA Capital Bond Payment Fee per ERU..... \$27.75 per month
 - 2. Reuse Water \$0.70 per kgal
 - 2b. Schools, Businesses and Churches 80% of Water Used for Culinary Purposes
 - 3. Single Family Residential Connection Fee \$100.00 per ER
(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 \$2,480.00
- 8. North Service Area Facilities – Extraterritorial Sewer Service Usage Fee \$42.84/month
- 1.8.6. Natural Gas Rate and Fees:
 - 1. Service Deposit \$40.00
 - 2. Usage Rate..... \$16.00 Base Rate plus \$10.00 per decatherm
 - 3. Single Family Residential Connection Fee \$895.00
.....for the first 45 feet measured from the property line and
..... \$9.60/foot for each additional foot thereafter
 - 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..... \$10.00 Base Rate plus \$0.0911/KWH
 - 3. Single Family Residential Connection Fee:
For services up to and including 150 amps
..... \$660.00 for the first 45 feet measured from the property line
..... \$9.00/foot for each additional foot thereafter
For services greater than 150 amps
..... \$700.00 for the first 45 feet measured from the property line
..... \$10.00/foot for each additional foot thereafter
(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. Collection of Infrastructure damage costs will be levied against the contractor bond posted with the City if the damage is caused by a contractor and will be collected as a surcharge on the monthly utility services billing if damage to City facilities is caused by a utility customer.

1.13. Infrastructure damage will be assessed at full costs to repair, including all direct and indirect cost expended by the City. Additional penalties will be pursued as allowed by Utah law.

1.14. Park Reservation

- 1.14.1. Park Use Deposit Fee..... \$100.00 Refundable Cleanup Deposit
- 1.14.2. Park Reservation.....

	Resident	Non-Resident
Nolan Park	\$25 – ½ day (10 am to 2 pm/4pm to dusk) \$50 – full day (10 am to dusk)	\$50 – ½ day (10 am to 2 pm/4pm to dusk) \$75 – full day (10 am to dusk)
Nolan Park <i>Pavilion only</i>	\$15 – ½ day (10 am to 2 pm/4pm to dusk) \$30 – full day (10 am to dusk)	\$25 – ½ day (10 am to 2 pm/4pm to dusk) \$50 – full day (10 am to dusk)
Eagle Park Commons	\$25 – ½ day (10 am to 2 pm/4pm to dusk) \$50 – full day (10 am to dusk)	\$50 – ½ day (10 am to 2 pm/4pm to dusk) \$75 – full day (10 am to dusk)
Amphitheater	\$25 – ½ day (10 am to 2 pm/4pm to dusk) \$50 – full day (10 am to dusk)	\$50 – ½ day (10 am to 2 pm/4pm to dusk) \$75 – full day (10 am to dusk)
Amphitheater <i>Pavilion only</i>	\$15 – ½ day (10 am to 2 pm/4pm to dusk) \$30 – full day (10 am to dusk)	\$25 – ½ day (10 am to 2 pm/4pm to dusk) \$50 – full day (10 am to dusk)

1.15. Blasting Permit Fee..... \$500.00

1.16. Ambulance Fees

BEMS Regulated Rates

1.16.1. Emergency Response.....	\$28.21
1.16.2. After Hours Response (2000-0800 Military Time).....	\$28.21
1.16.3. Off-road Response (<10miles)	\$23.49
1.16.4. Greater than 15 minute standby	\$15.67
1.16.5. Paramedic intercept	\$177.71
1.16.6. Direct Admit-EMT	\$337.60
1.16.7. DOA	as per current State approved rate
1.16.8. Emergency Department-EMT.....	\$337.60
1.16.9. Evaluated and Released AMA.....	as per current State approved rate
1.16.10. Evaluated and Released w/MA.....	as per current State approved rate
1.16.11. Refused Care.....	as per current State approved rate
1.16.12. Transported Other Means	as per current State approved rate
1.16.13. Aid Call-Flight Prep	\$235.09
1.16.14. Aid Call-Diabetic Care	\$235.09
1.16.15. Aid Call-Trouble Breathing	\$235.09
1.16.16. Aid Call-Other	\$235.09
1.16.17. State Mileage per mile or fraction thereof.....	\$12.45 per mile

Supplies Billing & Miscellaneous Costs

1.16.18. Additional Attendant	\$142.50
1.16.19. Airway inserted.....	\$3.45
1.16.20. Assisted ventilations	\$38.00
1.16.21. Wound cleaning.....	\$12.00
1.16.22. Minor dressings	\$22.00
1.16.23. Major trauma dressings.....	\$32.00
1.16.24. Blood tubes drawn	\$11.00
1.16.25. Minor burn treatment.....	\$3.00
1.16.26. Minor burn dressing.....	\$7.50
1.16.27. Major burn dressing.....	\$27.00
1.16.28. Burn Sheet	\$18.00
1.16.29. Cervical immobilization	\$14.00
1.16.30. CPR	as per current State approved rate
1.16.31. Defibrillation.....	\$38.40
1.16.32. Endotracheal intubation.....	\$12.00
1.16.33. Light extrication	\$150.00
1.16.34. Powered extrication	\$300.00
1.16.35. Intra-osseous infusion.....	\$14.00
1.16.36. IV	\$18.00
1.16.37. OB care	\$13.00
1.16.38. Oxygen by Mask.....	\$19.60
1.16.39. Oxygen by Cannula	\$16.80
1.16.40. Spinal immobilization.....	\$35.20
1.16.41. Splinted	\$7.00
1.16.42. Suctioned	\$23.00
1.16.43. Vitals assessed/monitored.....	\$6.00
1.16.44. EKG	\$10.00
1.16.45. Blood Sugar Level Check.....	\$10.00

Medication

1.16.46. Albuterol Sulfate.....	\$9.25
1.16.47. Baby ASA.....	\$3.00
1.16.48. Dextrose 50%	\$5.00
1.16.49. Dextrose 25%	\$9.00
1.16.50. Oral glucose.....	\$5.50
1.16.51. Glucagons	\$135.00
1.16.52. Epi 1:1	\$5.00
1.16.53. Epi 1:10	\$5.00
1.16.54. Morphine sulfate.....	\$10.00
1.16.55. Narcan-Naloxone.....	\$5.00
1.16.56. Nitrostat	\$15.00
1.16.57. Lidocaine-Drip.....	\$5.00

1.16.58. Lidocaine-IV Bolus	\$5.00
<u>Miscellaneous</u>	
1.16.59. Ice Pack	\$2.50
1.16.60. Hot Pack	\$2.50
1.16.61. Muconium Aspirator.....	\$15.00
1.16.62. Asherman Chest Seal.....	\$19.80
1.16.63. Urinal	\$3.75
1.16.64. Emesis Basin.....	\$2.65
1.16.65. Irrigation Solution.....	\$5.50

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 by the last day of each month. Customers, who do not pay the full amount of the utility billing invoice on or before the last day of the month are in default and are subject to disconnection of utilities and collection of the delinquent amounts. This section describes the process for notification, termination of services, penalty / reconnection fees, and provision for deferred payments schedule contracts.

2.5.1 Delinquent accounts will be charged a fee of the greater of \$25.00 (twenty-five dollars) or 1% of the delinquent balance amount at the beginning of each month the accounts are delinquent.

2.5.2 A final notice will be sent to the billing address within ten (10) days after the first working day of the month notifying the customer that if full payment of the past due balance is not received within seven (7) days after the notice that their service(s) will be subject to termination. Customers will be invited to contact City staff during this seven (7) day period to make special arrangements under extenuating circumstances, which may be approved by the City under the provisions of Section 2.5.4 below.

2.5.3. Services terminated for non-payment shall not be reinstated (reconnected) until payment of the past due account balance along with a reconnection fee of \$50 has been paid to the City. The reconnection fee shall be charged, unless the City has received payment at or before 5:00 p.m. on the day before the scheduled

shutoff date, regardless of whether or not the service(s) were actually terminated. City employees who perform the actual shutoff are not allowed to receive payment for Utility services.

2.5.4. A deferred payment schedule contract may be entered into with a delinquent customer, provided that the deferred payment schedule does not extend for a period of more than (1) year, provides for a specific amount in addition to payment of their current bill, to be paid each month together with interest as provided in Paragraph 2.6 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 final notice provided in Section 2.5.2 above. Service terminated after default on a deferred payment contract shall not be reinstated until the past due balance has been paid in full. The City may, at its discretion, require an additional utility deposit be paid up to an amount equal to two (2) times the average monthly billing for the utility service.

2.6. All bills for utility service, invoices for reimbursable fees or other charges owed to the City of every kind and nature except for returned checks shall be charged a fee of twenty five dollars (25.00) or 1% of the unpaid balance whichever is greater.

2.6.1. 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.

2.6.2 Unpaid City accounts may be sent to Collections after a reasonable attempt has been made to collect the unpaid amounts. Collections will be pursued to the full extent of the law. A \$50 fee will be added to any account sent to collections.

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. November 1, 2005.

EAGLE MOUNTAIN CITY, UTAH



ATTEST:

[Signature]
David E. Lifferth, Mayor

[Signature]
Gina Peterson, City Recorder

CERTIFICATION

The above resolution was adopted by the City Council of Eagle Mountain City on the 1 day of November, 2005.

4 voting aye 0 voting nay

[Signature]
Gina Peterson, City Recorder