

**HILDALE CITY RESOLUTION NO. 2019-02-001**

**A RESOLUTION OF THE HILDALE CITY COUNCIL REDUCING WATER DEVELOPMENT IMPACT FEES.**

**WHEREAS**, on December 2, 2014, the City of Hildale enacted water development fees according to Utah UCA § 11-36a-102 (“Impact Fee Act”) by adopting Ordinance No. 2014-12-1 with revision dated 10-11-2016 titled the “2015 Development Impact Fee Ordinance of the City of Hildale”;

**WHEREAS**, on March 17, 2015, Hildale City adopted water impact fees based on water meter size for new development, with an effective date of March 17, 2015;

**WHEREAS**, in December 2017, Alpha Engineering reviewed the *Culinary Water Impact Fee Facilities Plan & Impact Fee Analysis for Hildale City and the Town of Colorado City* (the “Impact Fee Analysis”), pursuant to the court’s order in Arizona District Court Case No. 3:12-cv-8123;

**WHEREAS**, water impact fees have not been serving their intended purpose, insofar as the fees collected over nearly four years are vastly insufficient to fund any of the planned improvements;

**WHEREAS**, the City has found that the changing demographic patterns in the community are not consistent with the demographic data that the Impact Fee Analysis was based on, resulting in excess capacity in the water system, and therefore the planned capital improvements to the system are not necessary to meet anticipated demands from development activities;

**WHEREAS**, there has been very little development activity in Hildale City since the 2015 Development Impact Fee Ordinance became effective;

**WHEREAS**, the City Council finds that it is in the public interest to encourage new development; and

**WHEREAS**, Utah law permits political subdivisions to reduce development impact fees to any level they deem appropriate.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF HILDALE, UTAH, as follows:

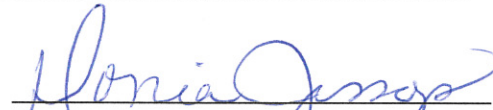
**SECTION 1.** Water development impact fees in Hildale City are hereby reduced and set as follows:

3/4 " Meter Impact Fee	\$0
1" Meter Impact Fee	\$0
1-1/2" Meter Impact Fee	\$0
2" Meter Impact Fee	\$0


**SECTION 2.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by the City Council of Hildale, Utah, this 6<sup>th</sup> day of February, 2019.

		YES	NO	ABSTAIN	ABSENT
Jared Nicol	Council Member				
JVar Dutson	Council Member				
Maha Layton	Council Member				
Lawrence Barlow	Council Member				
Stacy Seay	Council Member				

  
\_\_\_\_\_  
Donia Jessop, Mayor

Attest:

  
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Vincen Barlow, City Recorder

