

**A RESOLUTION OF THE HILDALE CITY COUNCIL SUSPENDING
DEVELOPMENT IMPACT FEE WAIVERS**

WHEREAS, the City of Hildale is a political subdivision of the State of Utah, authorized and organized under the provisions of Utah Law, and is authorized pursuant to the Municipal Land Use Development and Management Act, Utah Code Annotated, Title 10, Chapter 9a to enter into development agreements that the City considers necessary or appropriate for the use and development of land;

WHEREAS, the City intends through development agreements to provide for residents' health, safety, and welfare, and to promote the prosperity, peace and good order, comfort, convenience, and aesthetics of the City and its present and future inhabitants and businesses;

WHEREAS, the City has enacted development impact fees in accordance with Utah law, for the purpose of requiring new development to pay its proportionate share of the costs incurred by the city that are associated with providing necessary public services to new development;

WHEREAS, on February 6, 2019, the City Council adopted Resolution No. 2019-02-001, which reduced water development impact fees in Hildale City to \$0, for the stated purpose of encouraging new development;

WHEREAS, Section 55-10(b) of the Hildale City Code provides developers of master planned developments a 24-month amnesty period from any development impact fee increases, beginning on the date that the first building permit is issued;

WHEREAS, on November 13, 2019, the City Council voted to approve a development agreement waiving collection of any development impact fees – except sewer impact fees – for a period of fifteen years after signing the agreement;

WHEREAS, because of the potentially major fiscal impact to the City of waiving development impact fees, the City Council intends to be judicious in how and when such waivers will be granted;

WHEREAS, the City Council is committed not to unlawfully discriminate against any person in the provision of municipal services or in contracts, and intends to decide any future requests for impact fee waivers without discrimination; and

WHEREAS, before granting any further requests for impact fee waivers, the City Council wishes to draft an appropriate policy to delineate the criteria it will use when evaluating such requests.

NOW THEREFORE, be it resolved by the Mayor and City Council of Hildale City, Utah as follows:

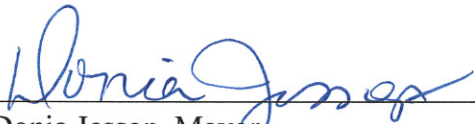
Section 1. The City Council hereby declares its intent to prepare a policy governing the circumstances in which Hildale City will grant requests to waive its development impact fees.

Section 2. If Hildale City receives a request to waive development impact fees prior to adopting the policy envisioned in Section 1 hereof, the City Council shall forbear making any decision on the request until said policy has been prepared and adopted.

Section 3. This Resolution shall become effective immediately after adoption, to expire and be of no further force and effect one year thereafter.


PASSED AND ADOPTED BY THE CITY COUNCIL OF HILDALE CITY, UTAH, ON THIS 22ND DAY OF FEBRUARY 2020 BY THE FOLLOWING VOTE:

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



Donia Jessop, Mayor

ATTEST:



Vincen Barlow, City Recorder

