



Resolution No. 152

May 19, 2025

**SNYDERVILLE BASIN WATER RECLAMATION DISTRICT**

**A RESOLUTION ENACTING AND IMPOSING IMPACT FEES WITHIN THE SERVICE AREA OF THE SNYDERVILLE BASIN WATER RECLAMATION DISTRICT FOR THE COLLECTION, TREATMENT AND DISPOSAL OF WASTEWATER, PROVIDING FOR THE CALCULATION AND COLLECTION OF IMPACT FEES, AND DEFINING APPEAL PROCEDURES FOR CONTESTED IMPACT FEES**

**WHEREAS**, the Snyderville Basin Water Reclamation District (the “**District**”) is a local district authorized and organized under the laws of the State of Utah to construct, own and operate facilities for the collection and treatment of wastewater; and

**WHEREAS**, the District is authorized pursuant to the Impact Fees Act, Utah Code Ann. § 11-36-101 et seq. to adopt and impose impact fees as a condition of development approval; and

**WHEREAS**, the District provided written notice of its intent to prepare an Impact Fee Facilities Plan pursuant to Utah Code Ann. § 11-36a-501; and

**WHEREAS**, the District has caused an Impact Fee Facilities Plan (the “**IFFP**”) to be prepared, a copy of which is attached hereto as **Exhibit A** and incorporated herein by reference; and

**WHEREAS**, the District provided notice and held a public hearing prior to adopting the IFFP in satisfaction of Utah Code Ann. § 11-36a-502; and

**WHEREAS**, prior to preparing the Impact Fee Written Analysis (the “**IFWA**”) the District provided notice as set forth in Utah Code Ann. § 11-36a-503; and

**WHEREAS**, the District has caused an IFWA to be prepared, a copy of which is attached hereto as **Exhibit B** and incorporated herein by reference; and

**WHEREAS**, the Board of Trustees has caused the analysis of the impact fees to be conducted consistent with and in compliance with Utah law;

**NOW THEREFORE**, the Board of Trustees of the Snyderville Basin Water Reclamation District hereby resolves to adopt this Resolution enacting impact fees as follows:

**1. FINDINGS FOR IMPACT FEE ENACTMENT**

1.1 The Board of Trustees of the District finds that it is in the best interest of the District to review, modify, amend and enact rules and regulations requiring the payment of impact fees as a condition of receiving wastewater collection and treatment service from the District for the properties and facilities which are connected to and served by the facilities of the District.

1.2 The District finds that all required notices have been given and made and the District is entitled to adopt this Resolution requiring the payment of impact fees set forth more specifically herein.

1.3 In enacting and approving the IFFP, the IFWA and this Resolution, the District has taken into consideration, and in certain cases will consider on a case-by-case basis in the future, the future capital facilities needs of the District, the capital financial needs for system improvements in the District which are the result of the future facilities needs of the District for new growth, the distribution of the burden of costs to different properties within the District based on the use of the District system by such properties for new growth, the financial contribution of those properties with new growth and other properties similarly situated in the District at the time of computation of the required fee and prior to the enactment of this Resolution, all revenue sources available to the District and the impact on future system improvements which will be required by new development activities in the District.

1.4 The District Board of Trustees finds that future development activities will create a need for additional facilities and the improvement requirements which are analyzed in the IFFP and the IFWA are the direct result of additional facility needs caused by future development activities.

1.5 The District Board of Trustees finds that the impact fees that are required to be paid in the future under this Resolution are necessary to achieve an equitable financial allocation between the costs paid by properties to the District in the past and the costs to be paid in the future, in comparison to the benefits received by properties connected to the District in the past, and the benefits to properties to be connected to the District system in the future as a result of development activity.

**2. DEFINITIONS.**

2.1 “Act” means the Impact Fees Act, Utah Code Ann. § 11-36-101 *et seq.*

2.2 “Administrative Fees” means a part of the Hookup Fees collected by the District for the inspection of service lines as required by the rules applicable to such fees, and costs associated with account set up.

2.3 “Applicant” means a person(s) or entity who will connect to the system of the District.

2.4 “Clerk” means an employee of the District authorized and designated by the General Manager to evaluate impact fee requirements and to calculate and determine the amount of impact fee required for connection to the facilities of the District.

2.5 “District” means the Snyderville Basin Water Reclamation District.

2.6 “Gross Impact Fee” means the initial impact fee calculated by the District based on the application from the Applicant.

2.7 “Hookup Fee” means a fee identified as an administrative fee which may be charged by the District for costs incurred in the installation and/or inspection of any facility which is required to connect a property to the collection and treatment system owned and operated by the District.

2.8 “Living Section” or “Bedroom” means a bedroom and/or any space that has reasonable access to a bathroom with bathing facilities and is designed for, can be used for, or can be converted into sleeping space, including but not limited to, dens, lofts and libraries, and which may include one or both of the following:

2.8.1 A door that can be closed for privacy

2.8.2 A closet.

The definition of a “living section” shall also include every 500 square feet of unfinished basement space, excluding stairs, mechanical areas, and areas prohibited from being bedrooms by building codes, which are not otherwise identified for future intended use.

2.9 “Net Impact Fee” means the impact fee calculated by the District after considering studies and data submitted by the Applicant and making all adjustments required by this Resolution.

2.10 “Non-residential” means any connection that does not qualify as a Residential connection.

2.11 “Reasonable Access” means up and down stairs and through open/entry areas. Reasonable access does not include access through other “living sections.”

2.12 “Residential Equivalent Demand Unit” or “RE” means the equivalent of a residential unit with three living sections that has 320 gpd peak day system capacity demand.

2.13 “Residential” means a single-family residence, multi-family residence, townhome, condominium, apartment, hotel or motel room, hostel, nursing home, dormitory, or any other facility providing temporary or permanent living accommodations. Residential does not include hospitals.

2.14 “Resolution” means this Impact Fee Enactment Resolution.

2.15 “Summary” means the summary of the IFWA.

### **3. ADOPTION OF IMPACT FEES**

3.1 The Impact Fee Facilities Plan (IFFP) attached hereto as Exhibit A is hereby approved and adopted as the Impact Fee Facilities Plan for system improvements of the District and replaces and supersedes all prior impact fee facilities plans of the District.

3.2 The Impact Fee Written Analysis (IFWA) attached hereto as Exhibit B is hereby approved and the impact fees proposed in the IFWA are hereby adopted as proposed. The Impact Fee Written Analysis supersedes and replaces all prior impact fee analysis and is hereby incorporated herein by reference as though fully set forth herein.

3.3. The District has determined that the entire service area of the District shall be a single service area for purposes of calculating the impact fee.

3.4 Based on the IFFP, IFWA and the requirements of Utah law, the Board of Trustees hereby imposes the payment of impact fees as a condition of connection to and service from the District. The impact fees imposed are set forth in the Impact Fee Schedule attached hereto as **Exhibit C** and incorporated herein by reference.

### **4. APPLICATION PROCEDURES AND COMPUTATION OF IMPACT FEE**

4.1 If the District determines that treatment and collection system capacity are available, all applicants for wastewater service shall pay the impact fee in accordance with this Resolution and restated in the Consolidated Fee Schedule of the District. Impact fees shall be paid in full with respect to a specific property prior to physical connection to the District's wastewater system and prior to the issuance of a building permit by Summit County, Wasatch County or Park City. Impact fees are transferable in the discretion of the District. Impact fees

may be refunded with the return of the original District receipt if a building permit has not been issued. Refunds will be considered on a case-by-case basis. In the event a refund is given, a processing fee may be charged for each refund to cover the reasonable amount of any administrative costs or legal fees associated with the refund.

4.2 Fees for reservation of capacity were accepted in the past by the District. Reservation of system capacity is no longer required. The Board of Trustees has determined not to refund these previously paid fees but will apply the interest earned thereon from the effective date of Snyderville Basin Water Reclamation District Resolution No. 75 toward the final payment required for impact fees prior to the issuance of a building permit. Under the current law applicable to the District and these regulations, the only way to reserve system capacity is by full payment of the applicable impact fee to the District. Otherwise, no reservation of capacity exists even if a plat has been approved and/or a Line Extension Agreement has been executed by the District.

4.3 Each Applicant for connection to the District system and impact fee Applicant shall make an application for connection in writing to the District for connection to the District system on forms provided by the District. Each Applicant shall state, define and characterize the nature of the use of the building proposed to be connected to the District system and provide the approved architectural plans submitted for building permit application purposes, for the structure to be connected to the District system, and such other and further information as may be requested by the District which is reasonably necessary to determine the size and nature of the use of the building proposed for connection, and to allow the District to verify the nature of the information presented by the Applicant.

4.4 The plans and specifications submitted by the Applicant may be used by the District for review and to determine compliance with the design and construction specifications of the District, and become a permanent record of the District. Building plans left with the District for which full impact fees have not been paid will be destroyed after 12 months.

4.5 The Clerk shall evaluate the building use, size and characteristics and shall calculate a Gross Impact Fee payable based on the information submitted by the Applicant using the fees required by this Resolution and the calculation procedure described in the IFWA and Exhibit C, and in according to the following requirements:

4.5.1 Residential Connections: The impact fee for Residential connections shall be computed by multiplying the number of Living Sections by the Residential Impact Fee per Living Section (*see* Exhibit C).

4.5.2 Non-Residential Connections: The impact fee for Non-residential connections is based on estimated average daily water usage for the highest thirty-day use period between November and March. Estimates shall be calculated by the project engineer or architect and approved by the District. Actual water usage from similar facilities may be used as a basis

for such calculations. Wastewater flow shall be calculated by dividing average daily water usage by 320 gallons per day in order to determine the number of residential equivalent demand units (REs). The impact fee shall be computed by multiplying the REs times the residential equivalent system impact fee of a home with three (3) living sections (bedrooms) (*see* Exhibit C). In the event that a user is determined to have maximum water use impacting the District during months other than winter months, the District will have the option of using the Applicants highest water use month impacting the District system for the calculation of final adjusted impact fees.

4.5.3 Building with Residential and Non-Residential Uses. Hotels, mixed-use facilities, or other buildings that contain both Residential areas and Non-residential areas may be assessed a combination of a Residential impact fee and a Non-residential impact fee. For example, a condominium building that contains a restaurant and retail on the ground floor would be charged the Non-residential impact fee for the restaurant and retail and a Residential impact fee for condominium units.

4.6 The Clerk shall inform the Applicant in writing of the Gross Impact Fee. The written notice of the Gross Impact Fee shall state that the District will consider information from the Applicant which may reduce the Gross Impact Fee. The District will allow the Applicant to submit the following information for consideration to proportionate reimbursement of an impact fee or reduce the Gross Impact Fee in determining the Net Impact Fee:

4.6.1 Studies and data concerning the collection and treatment demand imposed on the District system by the proposed connection and use;

4.6.2 Evidence of the payment of connection or impact fees, or service charges to the District by the past owners of the property to be connected;

4.6.3 An identification of property, facilities or new construction contributed by the Applicant to the District, with the prior written approval of the District, that are planned by the District in the IFFP and IFWA together with relevant cost or economic data;

4.6.4 An identification or description in detail of any other economic credit or matter which the Applicant believes should be taken into consideration under Utah law in the computation of the Net Impact Fee.

4.7 All of the relevant information submitted by the Applicant shall be taken into consideration in the calculation of the Net Impact Fee to be charged to the Applicant for permission to connect to and use the District system.

4.7.1 Reductions in the Gross Impact Fee based on the information provided by the Applicant, including studies and data submitted by the Applicant concerning water use of the proposed connection, shall be based solely on verifiable economic data and, if applicable, specific use prediction data that is certain to assure the District that the District system use is less

than the use estimated by the District and can be confirmed as represented by the Applicant.

4.7.2 After considering studies and data supporting credit for or reimbursement of impact fees as defined in this Resolution, if any, submitted by the Applicant, the Clerk shall calculate the Net Impact Fee and inform the Applicant in writing of the Net Impact Fee.

4.7.3 After the Applicant receives the written final net fee computation statement from the District, the Applicant shall indicate in writing in the space provided whether or not the Applicant concurs with the Net Impact Fee computed by the District. If the Applicant concurs with the Net Impact Fee, the Applicant shall pay the Net Impact Fee and obtain a receipt prior to obtaining a building permit.

4.7.4 The District is authorized to complete a visual inspection of the building prior to issuance of an "Authorization to Use" form. If the number of living sections determined during said inspection differs from the plans submitted, a refund for overpayment of fees or an invoice for underpayment of fees shall be prepared. Upon receipt of the additional impact fees, the District shall authorize the issuance of the District "Authorization to Use" form.

4.7.5 When the impact fee for a structure is paid in full, Applicant shall have one year from the date of payment to apply for a building permit, during which time Applicant will not be liable for impact fee increases. After one year, Applicant shall pay the then applicable fees.

4.7.6 If issuance of the building permit is delayed by a governmental agency other than the District, Applicant will have one year past completion of the particular event that caused the delay, up to a maximum of three years, during which time Applicant will not be liable for impact fee increases.

4.7.7 When an existing structure is remodeled which results in additional living sections being added, new plans must be submitted to the District and additional fees paid for each new living section. Fees will be paid according to the rate in effective at the time of the remodel.

4.7.8 All building modifications or other changes in the nature of new growth that require a building permit and result in an increased discharge to the District shall be reviewed by the District. An additional impact fee shall be charged when an increase in use of the District collection and treatment system is anticipated. Credit will be given for previously paid impact fees. When there is no evidence of an impact fee having been paid (building built prior to impact fees), the impact fee for new growth will be based on the IFWA existing conditions baseline period: i.e. the most current previous five (5) years average peak winter water usage. If previous water usage is not available or other extraneous circumstances exist, the fee computation will be determined from the best information available.

4.8 Impact fees for Residential Connections may be refunded with the return of the original District receipt if a building permit has not been issued. These refunds will be handled on a case-by-case basis and in accordance with Utah Code Ann. § 11-36a-603. In the event a refund is given, a processing fee in an amount determined by resolution of the Board of Trustees will be charged for each refund.

4.9 Any development activity of the state, a school district, or a charter school may request for a prompt and individualized impact fee review for the development activity and an offset or credit for a public facility for which an impact fee has been or will be collected. The District may adjust the standard impact fee for the state, a school district or a charter school based upon the request.

4.10 Any developer, including a school district or a charter school, shall receive a credit against or proportionate reimbursement of an impact fee if the developer, at the request of the District: (a) dedicates land for a system improvement included in the IFFP; (b) builds and dedicates some or all of a system improvement included in the IFFP; or (c) dedicates a public facility that the District and the developer agree will reduce the need for a system improvement.

4.11 The District may authorize an exemption or adjustment to the impact fee for certain projects, including low-income housing projects, if the District determines that the benefits to the community as a whole justify the exemption or adjustment.

## **5. SEVERABILITY**

If any section, subsection, paragraph, clause, or phrase of this Resolution shall be declared invalid for any reason, such decision shall not affect the remaining provisions of this Resolution, which shall remain in full force and effect, and for this purpose, the provisions of this Resolution are declared to be severable. In the event any section, subsection, paragraph, clause, or phrase of this Resolution conflicts with the Utah Impact Fees Act, the relevant provision of the Utah Impact Fees Act shall control.

## **6. EFFECTIVE DATE**

In accordance with Utah Code Ann. § 11-36a-401, this Resolution shall take effect 90 days after the day on which it is approved.

**DATED** this 19<sup>th</sup> day of May 2025

**SNYDERVILLE BASIN WATER  
RECLAMATION DISTRICT**

---

Chair

# Exhibit A

## Impact Fee Facilities Plan

# Exhibit B

## Impact Fee Written Analysis

# Exhibit C

## Impact Fee Schedule

### **Residential Impact Fee per Living Section (Bedroom):**

<u>August 18, 2025</u>	<u>January 1, 2026</u>	<u>January 1, 2027</u>
\$4,591	\$4,707	\$4,819

### **Commercial Impact Fee by Residential Equivalent:**

Estimated wastewater quantity (average gallons per day), divided by 320 multiplied by:

<u>August 18, 2025</u>	<u>January 1, 2026</u>	<u>January 1, 2027</u>
\$13,772	\$14,122	\$14,458