

ORDINANCE 02-04-2024

AN ORDINANCE AMENDING THE PUBLIC SAFETY IMPACT FEE FACILITY PLAN (“IFFP”) AND IMPACT FEE ANALYSIS (“IFA”), PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Santaquin City (the “City”) is a political subdivision of the State of Utah, authorized and organized under applicable provisions of Utah law; and

WHEREAS, the City has legal authority, pursuant to Title 11, Chapter 36a of the Utah Code Annotated, as amended (“*Impact Fees Act*” or “*Act*”), to impose development impact fees as a condition of development approval, which impact fees are used to defray capital infrastructure costs attributable to new development activity; and

WHEREAS, the City has previously enacted and imposed impact fees for public facilities, as defined in Utah Law, Title 11, Chapter 36a, Section 102, and as more particularly set forth in the Santaquin City Fee Schedule; and

WHEREAS, Santaquin has experienced significant growth and anticipates more growth in the near future; and

WHEREAS, the City desires to amend its previously adopted Public Safety Impact Fees in accordance with applicable provisions of the Impact Fees Act in order to appropriately assign costs to development for the purpose of a needed ladder truck and additional fire station, in an equitable and proportionate manner as more particularly provided herein; and

WHEREAS, the City properly noticed its intent to amend the Public Safety Impact Fees Facilities Plan and the Public Safety Impact Fee Analysis as required by law and the City has, through its consultants, completed the Public Safety Impact Fee Facilities Plan and Impact Fee Analysis in accordance with applicable provisions of the Impact Fees Act, which Public Safety Impact Fee Facilities Plan and Impact Fee Analysis are more particularly described and adopted herein; and

WHEREAS, the City has provided the required notice and held a public hearing before the Planning Commission on February 13, 2024, regarding the proposed amendments to the Public Safety Impact Fee Facilities Plan and Public Safety Impact Fee Analysis in accordance with applicable provisions of the Impact Fees Act; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Santaquin City, State of Utah, as follows:

SECTION I. Adoption

The attached Public Safety IFFP, & IFA are hereby adopted as the official Santaquin City Public Safety IFFP and IFA.

SECTION II. Contrary Provisions Repealed

Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

SECTION III. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

SECTION IV. Severability

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

SECTION V. Other Impact Fees Not Repealed

Except as otherwise specifically provided herein, this Public Safety Impact Fee Ordinance shall not repeal, modify, or affect any impact fee of the City in existence as of the effective date of this Ordinance.

SECTION VI. Effective Date

This ordinance shall become effective at 5:00 p.m. on Wednesday, February 21, 2024. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

PASSED AND ADOPTED this 20th day of February 2024

Daniel M. Olson, Mayor

Councilmember Art Adcock	Voted	___
Councilmember Brian Del Rosario	Voted	___
Councilmember Lynn Mecham	Voted	___
Councilmember Jeff Siddoway	Voted	___
Councilmember Travis Keel	Voted	___

ATTEST:

Amalie R. Ottley, City Recorder

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, AMALIE R. OTTLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that prior to the ordinance taking effect, I posted a short summary of the ordinance on the Utah Public Notice Website as required by Utah State Code 10-3-711(1)(b) as a Class A Notice and Santaquin City Code 1-2-050(D)

I further certify that copies of the ordinance were posted online at www.santaquin.org, at the City Hall Building at 110 S. Center Street and on the State of Utah’s Public Notice Website, <https://www.utah.gov/pmn/index.html>. A copy of the notice may also be requested by calling (801)754-1904.

AMALIE R. OTTLEY
Santaquin City Recorder

The foregoing instrument was acknowledged before me on this ____ day of ____ 2023, by AMALIE R. OTTLEY.

My Commission Expires:

Notary Public