ORDINANCE NO. _____

AN ORDINANCE OF WEST HAVEN CITY, UTAH, REVISING AND AMENDING THE CITY CODE; CREATING A CONSOLIDATED FEE SCHEDULE; AND MAKING NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES; AND ESTABLISHING AN EFFECTIVE DATE FOR THOSE CHANGES.

Section 1. Recitals:

WHEREAS, West Haven City (herein "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with UCA § 10-3-707, the governing body of the City may revise, codify, and compile from time to time and to publish in book, pamphlet or loose leaf form all ordinances of the municipality of a general and permanent character and to make such changes, alterations, modifications, additions, and substitutions as it may deem best; and,

WHEREAS, the Interim City Manager is making a recommendation to the City Council regarding removing most of the different fee schedules in the City Code and consolidating them in one schedule separate from the City Code and titling it "Consolidated Fee Schedule"; and

WHEREAS, the City Council finds that certain changes to the City Code, in regards to certain sections referencing fee schedules, shall be made and the fees removed from the City Code and placed within the new schedule titled "Consolidated Fee Schedule"; and,

WHEREAS, the City Council finds that making these changes and consolidating the fee schedules for the West Haven City Code will make it more convenient for the public and staff to identify City fees; and

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health, and welfare is at issue in this matter and requires action by the City as noted above;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST HAVEN CITY, UTAH THAT:

1. Under §10.05(B) "*Definitions.*", the following definition shall be added in alphabetical order:

> "***CONSOLIDATED FEE SCHEDULE.*** The schedule of fees adopted by the West Haven City Council setting forth some of the various fees charged by the City."

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2. The following sections of the West Haven City Code shall be repealed:

a. **§33.001 PUBLIC WORKS AND CODE ENFORCEMENT FEE SCHEDULE.**
b. **§33.002 PARKS AND RECREATION FEES.**
c. **§33.003 SWPPP FEES; SUBDIVISION REVIEW; INSPECTION.**
d. **§33.004 BUSINESS LICENSE FEES.**
e. **§33.006(A)(1)(a-c) DISCOVERY FEE SCHEDULE.**
f. **§92.10(D) PURCHASE PRICES AND FEES.**
g. **§93.03 REGULATIONS AND FEES.**
h. **§152.19(C)(6) and §152.19(C)(6)(a).**
i. **§152.20(D) and its subsections (1) and (2).**
j. **§155.042(B)(3).**
k. **§156.023 PRELIMINARY PLAN APPLICATION FEE.**
l. **§156.106(B)(3).**
m. **§157.018(C).**
n. **§157.045(A).**
o. **§157.843(D)** ***Mobile home park permit fee.***
p. **§157.883(A).**
q. **§157.883(C).**
r. **§157.899 Fees.**
s. **§157.914(A).**
t. **§157.914(B).**

3. The following sections shall be adopted in the West Haven City Code with the following language:

a. **§33.001 PUBLIC WORKS AND CODE ENFORCEMENT FEE SCHEDULE.** The Public Works and Code Enforcement Fee Schedule is hereby made a part of the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.
b. **§33.002 PARKS AND RECREATION FEES.** The Parks and Recreation Fees are hereby made a part of the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.
c. **§33.003 SWPPP FEES; SUBDIVISION REVIEW; INSPECTION.** The SWPPP Fees, Subdivision Review Fees, and Inspection Fees are hereby made a part of the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.
d. **§33.004 BUSINESS LICENSE FEES.** The Business License Fees are hereby made a part of the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

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e. **§33.006(A)(1) DISCOVERY FEE SCHEDULE.** The Discovery Fees are hereby made a part of the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

f. **§92.10(D) PURCHASE PRICES AND FEES.** The purchase prices and fees regarding those services and burial plots offered by cemeteries in the City are hereby made a part of the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

g. **§93.03 REGULATIONS AND FEES.** The City Council may promulgate rules and regulations relating to the city's park(s) and may amend such rules and regulations from time to time. The City Council may also adopt and impose fees for the use of parks, park facilities, and for reserving any such facilities. The City Council has adopted fees regarding the use of parks, park facilities, and for reserving of any such facilities. These current fees are hereby made a part of the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

h. **§152.19(C)(6)** All fees related to cutting and excavating in the public rights-of-way may be adjusted on an annual basis by the City Council. These fees are hereby made a part of the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

i. **§152.19(C)(6)(a)** The Public Works Department Head, with approval from the City Manager, may make adjustments to a pavement cut or patching fee as deemed reasonable, but fees may only be waived upon approval of the City Council. Pavement cutting fees shall not normally be charged on city-funded capital improvement projects.

j. **§152.20(D)** A street cutting and excavation permit must be obtained prior to any work being done. The fees associated with that permit are hereby made a part of the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

u. **§155.042(B)(3)** The applicant for a stormwater construction activity permit shall pay a fee in an amount set by resolution of the City Council. Such fees are hereby made a part of the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

k. **§156.023 PRELIMINARY PLAN APPLICATION FEE.** At the time of filing the preliminary plan, the subdivider shall deposit with the Planning Commission a non-refundable fee made payable to the city. The City Council shall, by resolution from time to time, prescribe the amount of such fee, which shall be for the purpose of reimbursing the city for the expense incidental in connection with the checking and approving of such subdivision plans. Such fees are hereby made a part

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of the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

l. **§156.106(B)(3)** Both of these fees shall be in accordance with the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

m. **§157.018(C)** The fee schedule shall be in accordance with the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

n. **§157.045(A)** Upon filing of any appeal or application to the appeal authority, the appellant or applicant shall pay to the city a fee prescribed by the City Council. This fee shall be in accordance with the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

o. **§157.843(D)** ***Mobile home park permit fee.*** A fee for each mobile home park construction permit shall be paid to the City Recorder at the time of the filing of the application, therefore. The said fee shall be in addition to all other buildings, electrical, plumbing, and other fees required for work included in the mobile home park. This fee shall be in accordance with the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

p. **§157.883(A)** Fees shall be in accordance with the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

q. **§157.883(C)** See the West Haven City Consolidated Fee Schedule for the city business license fees.

r. **§157.899 Fees.** Fees shall be in accordance with the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

s. **§157.914(A)** Fees shall be in accordance with the West Haven City Consolidated Fee Schedule. The West Haven City Consolidated Fee Schedule is hereby adopted by reference.

t. **§157.914(B)** See the West Haven City Consolidated Fee Schedule for the city business license fees.

4. The fees attached as Exhibit A shall be the West Haven Consolidated Fee Schedule. Such fee schedules and the periodic adjustments thereof shall be by resolution.

5. The West Haven Consolidated Fee Schedule and the fees and charges set forth therein are hereby enacted and adopted for services received from West Haven City.

6. It is not intended by this Ordinance to repeal, abrogate, annul, or in any way impair or interfere with the existing provisions of other resolutions, ordinances, and laws except to effect consolidation and modification of the fees reflected in the West Haven Consolidated Fee Schedule, Exhibit A.

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7. The fees listed in the West Haven City Consolidated Fee Schedule supersede present fees for services specified, but all fees not listed remain in effect. Where, this Ordinance imposes a higher fee than is imposed or required by existing provisions, resolution, ordinance, or law, the provisions of this Ordinance shall control.

The foregoing Recitals are fully incorporated herein.

Section 2. Repealer of Conflicting Enactments:
All orders, ordinances, and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with the provisions of this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 3. Prior Ordinances and Resolutions:

The body and substance of any prior Ordinances and Resolutions, together with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 4 - Savings Clause:

If any provision of this Ordinance shall be held or deemed to be or shall be invalid, inoperative, or unenforceable for any reason, such reason shall not render any other provision or provisions invalid, inoperative, or unenforceable to any extent whatever, this Ordinance being deemed to be the separate independent and severable act of the City Council of West Haven City.

Section 5 - Date of Effect:

BE IT FURTHER ORDAINED this Ordinance will become effective on the 15th day of November 2023 and after publication or posting as required by law.

DATED this 15th day of November 2023.

WEST HAVEN CITY, a municipal corporation

by: _____
Mayor Rob Vanderwood

Attested and Recorded

_____
Emily Green
Recorder

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EXHIBIT A

West Haven City Consolidated Fee Schedule

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CONSOLIDATED FEE SCHEDULE – WEST HAVEN CITY

BUILDING/ENGINEERING	FINE AMOUNT
Excavation Fees	
Basic Application Fee	$50
Soft surface – shoulder, gravel, dirt road (per square foot)	$.05 ($30 minimum)
Hard surface – asphalt, concrete	
Permit Charge	$15
Street cut fee (per square foot)	$.47
Inspector charge for large projects	$25 per hour
Fine for failure to obtain permit	$50
Re-inspection Fees	
Re-inspection fee	$50
Re-inspection fee for 4-way	$100
Occupying structure prior to obtaining Certificate of Occupancy	1% of permit value/per day
BUSINESS LICENSING	
Home Occupation	$50
Temporary Sign	$50
Temporary license (1 to 30 days)	$50
Solicitor Permit	$75
Home Day Care	
Level 1 – fewer than 8 children	$50
Level 2 – 9 to 16 children	$100
Commercial Day Care	$200
Home Preschool – 12 students or less per class	$100
Commercial Preschool	$200
Commercial Business	
Minor – all businesses not classified as major or Big Box	$200
Major – alcohol, convenience store, mobile home parks, motel, hotel, all businesses in M-1 and M-2 zones	$1,000
Big Box – over 40,000 square feet gross floor area	$2,000
Late Fees 50% of price of license after January 31	50% of price of license after January 31
Beer Licenses	
Class A – tavern and club	$500
Class B – off premise - Convenience Store	$200
Class C – on premise - Restaurants	$200

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CONSOLIDATED FEE SCHEDULE – WEST HAVEN CITY

CODE ENFORCEMENT	
Property Clean-up	Actual cost of work or contract
Non-Compliance Citation – may be waived with compliance agreement	$100
Second citation in same calendar year - Automatic	$100
Third Citation in same calendar year - Automatic	$250
Forth Citation in same calendar year - Automatic	$500
Administrative Cost	$75
Inspector Cost /re-inspection	$75
Removal of Lien	$60
COMMUNITY DEVELOPMENT	
Subdivision	
Preliminary Filing Fee – 1 to 5 lots	$200
Preliminary Filing Fee – 6 or more lots	$450
Preliminary Per Lot Fee – 1 to 5 lots	$125
Preliminary Per Lot Fee – 6 or more lots	$75
Final Per Lot Fee – 1 to 5 lots	$75
Final Per Lot Fee – 6 or more lots	$50
Inspection Per Lot Fee – 1 to 5 lots	$150
Inspection Per Lot Fee – 6 or more lots	$150
Site Plan	
Apartments	
Site Plan Filing Fee	$450
Preliminary Per Building	$175
Final Per Building	$100
Commercial	
Preliminary Site Plan	$100 for 0-1 acres of project size, **plus** $25 per acre on lots 1.01 to 5 acres of project size, or **plus** $10 per acre on lots over 5 acres
Final Site Plan	$100
City review of Site Plan	$100
Zoning Map Amendment	
Residential	$200 for 0-1 acres of project size, **plus** $25 per acre on lots 1.01 to 5 acres of project size, or **plus** $5 per acre on lots over 5 acres
Commercial	$200 for 0-1 acres of project size, **plus** $50 per acre on lots 1.01 to 5 acres of project size, or **plus** $10 per acre on lots over 5 acres
MDA Concept Review	$200
Annexation	Cost of postage for noticing
LEGAL	
Administrative Hearing	$100
Discovery Fees	

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Electronic delivery of media-video, audio, or pictures	$25
Electronic delivery of Police or other written reports-longer than one page (more than one page citation alone)	$5
Electronic delivery of citation (with notes)	Free
MISCELLANEOUS FEES	
Community Room Rental	
Resident	$40 per hour + $200 refundable deposit
Non-Resident	$60 per hour + $200 refundable deposit
Non-profit	$20 per hour + $100 refundable deposit
Maps (11" X 17")	$3 per map
Records Request	$.25 per page
PARKS AND RECREATION	
Cemetery Fees	
Residential Costs	
Plot Purchase (includes perpetual care) – flat area	$550
Plot Purchase (includes perpetual care) – raised area	$650
Opening/closing M-F	
Adult	$400
Infant (2 years and younger)	$250
Urn	$200
Opening/closing weekend/holiday	
Adult	$500
Infant (2 years and younger)	$300
Urn	$250
Disinterment	$500
Non-Residential Costs	
Plot Purchase (includes perpetual care) – flat area	$1,000
Plot Purchase (includes perpetual care) – raised area	$1,100
Opening/closing M-F	
Adult	$625
Infant (2 years and younger)	$450
Urn	$300
Opening/closing weekend/holiday	
Adult	$750
Infant (2 years and younger)	$550
Urn	$400
Disinterment	$800
Deed Reprint	$35
Deed Transfer Fee	$25
Monument Moving Fee	
Flat Stone	$100
Upright Stone	$250
Facility Fees	

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CONSOLIDATED FEE SCHEDULE – WEST HAVEN CITY

Yearly Arena Rental (per time slot)	
Junior Posse, 4-H groups	$400
Adult Horse Groups, no stock	$500
Adult Horse Group, with stock	$550
Arena – exclusive use	$50 per hour
Arena – special events	$75 damage/cleaning deposit
Additional grooming	$45 per hour advanced deposit
Saturday rental (non-profit)	$250 per time slot
Saturday – stock charge (non-profit)	$50
Saturday rental (Commercial groups)	$500 per time slot
Saturday - stock charge (Commercial groups)	$75
Week Night rental (non-profit)	$175
Week Night – stock charge (non-profit)	$50
Week Night (Commercial groups)	$300
Week Night - stock charge (Commercial groups)	$75
Concession Building	$50 per day + $75 damage/cleaning deposit
Baseball	
League	$35 per field/day + $15 per game + $25 an hour for lights
Tournament	$35 per field/day + $20 per game + $25 an hour for lights
Softball	
League	$35 per field/day + $15 per game + $25 an hour for lights
Tournament	$35 per field/day + $20 per game + $25 an hour for lights
Soccer	
Youth league/non profit	No fee
Adult League	$30 per field/day + $20 per game
Tournament	$50 per field/day + $20 per game
Tennis	$10 per match
Volleyball	$20 tournament fee/court + $5 per match
Recreation Fees	
Archery	$60
Adult coed Volleyball	$215 per team
Boys Baseball	$55
Girls Softball	$55
T-ball	$45
Coach Pitch	$45
Machine Pitch	$50
Karate	$35
WFFL Tackle Football	$150
Tennis	$40
Archery in the Park Camp	$40
Grizzly Youth Football Camp	$40
NFL Flag Football	$65

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Jr. Instructional Basketball	$55
Girls Basketball	$60
Boys Basketball	$60
Fishing Club	$25
Hunters Safety	$5
STORM WATER	
Control Measure Violation	
Working without a NOI and/or SWPPP	$500
Working without an updated NOI and/or SPPP	$250
Inspections not being performed and/or documented	$150
SWPPP sign not posted	$150
Construction exit track-out	$150
Waste Control	$150
Improper material storage	$150
Illicit Discharge Violation	
Sediment escaping perimeter boundary	$250
Solid waste (litter and construction debris)	$250
Wash-out not contained (concrete, stucco, paint)	$250
Sanitary waste (portable toilet not staked, in right-of-way, improper setback	$250
Fuel, oil, hydraulic spills (improper disposal or not contained)	$250
Fertilizer, cleanser, organics spills (improper disposal or not contained)	$250
Paints and solvents	$250

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