

MILITARY INSTALLATION DEVELOPMENT AUTHORITY

ORDINANCE 2024-01

AN ORDINANCE OF THE MILITARY INSTALLATION DEVELOPMENT AUTHORITY (“MIDA”) ADOPTING AMENDMENTS TO THE SEWER ORDINANCE AND THE STORM WATER ORDINANCE FOR THE FALCON HILL PROJECT AREA

WHEREAS, the Falcon Hill Project Area requires regulated and efficient sewer and storm water management to ensure that sustainable development of the community and the Project Area; and

WHEREAS, the MIDA Board has previously adopted the MIDA-Falcon Hill Sewer Ordinance and the MIDA-Falcon Hill Storm Water Ordinance, codified as Title 2, Chapters 2 and 3 of the Falcon Hill Project Area Code of Ordinances; and

WHEREAS, the MIDA-Falcon Hill Sewer Ordinance and the MIDA-Falcon Hill Storm Water Ordinance provides a comprehensive framework for the management and fee structure of sewer and storm water services within the Falcon Hill Project Area; and

WHEREAS, the MIDA Board now finds it expedient to amend these ordinances to better align with the latest standards, regulations, and rates set forth by the North Davis Sewer District, the City of Clearfield, and the City of Roy, as applicable;

NOW, THEREFORE, BE IT ORDAINED BY THE MIDA BOARD that the attached ordinances setting the sewer and storm water rates and establishing the rules and regulations for the MIDA-Falcon Hill Water Utility in the Falcon Hill Project Area, at Title 2, Chapters 2 and 3 of the Falcon Hill Project Area Code of Ordinances, are hereby repealed and readopted as amended. The Executive Director, or the Executive Director’s designee, is authorized to take all necessary actions to comply with the ordinance requirements.

PASSED AND ADOPTED by the MIDA Board this 2nd day of April 2024.

Military Installation Development Authority



Stuart Adams
Chair

Attest:



MIDA Staff

Title 3 Falcon Hill Utilities

Chapter 1 Storm Water Ordinance

3-1-101 Short Title

This Chapter shall be known as the MIDA-Falcon Hill Storm Water Ordinance.

3-1-102 Rates

The monthly storm water service charge shall be determined as follows:

- (1) For Falcon Hill users serviced by MIDA pursuant to an agreement with the City of Clearfield, Utah, the monthly rates and fees as established by the City of Clearfield.
- (2) For Falcon Hill users serviced by MIDA pursuant to an agreement with the City of Roy, Utah, the monthly rates and fees as established by the City of Roy.

The landlord shall provide to MIDA the pro rata share of the monthly storm water service charge for each tenant so that the storm water service charge may be included on the utility bill with the other utility charges.

3-1-201 Adoption of Local Stormwater Ordinances and Regulations

MIDA does hereby adopt and shall use the substantive stormwater policies as follows:

- (1) For Falcon Hill users serviced by MIDA pursuant to an agreement with the City of Clearfield, Utah, the stormwater ordinances, regulations, and policies adopted by the City of Clearfield in effect of as March 1, 2024, with such future amendments as may be approved by the Executive Director, shall govern the operation of the storm water utility, as applicable.
- (2) For Falcon Hill users serviced by MIDA pursuant to an agreement with the City of Roy, Utah, the stormwater ordinances, regulations, and policies adopted by the City of Roy in effect of as March 1, 2024, with such future amendments as may be approved by the Executive Director, shall govern the operation of the storm water utility, as applicable.

3-1-202 Other Regulations and Policies

- (1) **Executive Orders.** The Executive Director shall review state and federal requirements, and the current Falcon Hill Standards and Guidelines and adopt by Executive Order any other necessary regulations and policies governing the storm water system to comply with legal requirements including the National/Utah Pollution Discharge Elimination System permit and applicable regulations.
- (2) **Submittal to MIDA Board.** After an appropriate period of time to evaluate the utility's functioning, the Executive Director shall submit any Executive Orders to the MIDA Board for review and a determination if they should be modified, terminated, or incorporated into this chapter.

Title 3 Falcon Hill Utilities Chapter 2 Sewer Ordinance

3-2-101 Short Title

This Chapter shall be known as the MIDA-Falcon Hill Sewer Ordinance.

3-2-102 Rates

The Executive Director or the Director's designee shall read meters monthly. Each account will be assessed a connection fee and a monthly fee as set forth below. Sewer service charges shall be collected monthly for each water connection. Rates will be composed of the following parts:

- (1) **Connection Fee.** A one-time connection fee of \$100 for each meter.
- (2) **Monthly Fee.** A base monthly service charge calculated based on the monthly user fee as assessed by the North Davis Sewer District, plus an administrative fee collected by MIDA equaling 10 percent of the assessed monthly user fee.
- (3) **Other Fees.** Any other required taxes or fees assessed by the North Davis Sewer District.

3-2-201 Adoption of North Davis Sewer District Requirements

The North Davis Sewer Districts Ordinances in effect of as March 1, 2024, with such future amendments as may be approved by the Executive Director, shall govern the operation of the sewer utility, as applicable.

3-3-202 Other Regulations and Policies

- (1) **Executive Orders.** The Executive Director shall review the requirements of the contract with the North Davis Sewer District, state and federal requirements, and the current Falcon Hill Standards and Guidelines and adopt by Executive Order any other necessary regulations and policies governing the sewer system.
- (2) **Submittal to MIDA Board.** After an appropriate period of time to evaluate the utility's functioning, the Executive Director shall submit any Executive Orders to the MIDA Board for review and a determination if they should be modified, terminated, or incorporated into this chapter.