

TOWN OF MANTUA ORDINANCE NO. 2026-02-19 AN ORDINANCE ADOPTING IMPACT FEE ANALYSES AND AN IMPACT FEE ORDINANCE FOR CULINARY WATER SERVICES AND SANITARY SEWER SERVICES

WHEREAS, the Town of Mantua (the "Town"), Box Elder County, Utah, is authorized under Utah Code Annotated Title 11, Chapter 36a (the "Impact Fees Act") to adopt impact fees to offset the costs of capital facilities required to serve new development; and

WHEREAS, the Town has caused to be prepared Impact Fee Analyses (IFA) for Culinary Water Services and Sanitary Sewer Services which set forth the nexus between new development and the need for additional capital facilities, and which establish the method of calculating proposed impact fees for those systems; and

WHEREAS, the Town published notice and gave notice in accordance with Utah Code § 11-36a-504 and other applicable provisions of state law of a public hearing to consider the proposed impact fee ordinance and the IFAs; and

WHEREAS, a public hearing was held on February 19, 2026, at 6:30 PM at Mantua Town Hall, 409 North Main Street, Mantua, Utah 84324, at which time all interested persons were given an opportunity to present oral and written comment regarding the proposed IFAs and impact fees; and

WHEREAS, the Town Council has reviewed the IFAs, considered public comment, and finds that the IFAs demonstrate the reasonable relationship required by law between the impact fees proposed and the capital facilities to be funded and that the fees comply with the Impact Fees Act.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MANTUA, UTAH, as follows:

Section 1. Title. This ordinance shall be known and may be cited as the "Impact Fee Ordinance for Culinary Water and Sanitary Sewer Services" of the Town of Mantua.

Section 2. Authority. This ordinance is adopted pursuant to the provisions of the Impact Fees Act, Utah Code Ann. § 11-36a-101 et seq., and other applicable state and local law.

Section 3. Findings. The Town Council hereby finds and declares: a. The IFAs for Culinary Water Services and Sanitary Sewer Services identify capital facilities reasonably related to new development, establish the proportionate share of facility costs attributable to new development, and provide a reasonable methodology for the calculation of impact fees. b. The impact fees established in this ordinance are proportional and reasonably related to the demands and impacts of new development on the Town's culinary water and sanitary sewer systems. c. The adoption of these impact fees is necessary to ensure that new development bears its proportionate share of the capital costs required to serve that development.

Section 4. Definitions. For the purposes of this ordinance the following definitions apply (terms defined in the Impact Fees Act shall have the meanings given therein): a. "Impact Fee" means a payment of money imposed upon new development as a condition of development approval to pay for capital facilities needed to serve new development. b. "Culinary Water Impact Fee" means the fee established herein to fund capital facilities needed to serve new development's demand on the Town's culinary water system. c. "Sanitary Sewer Impact Fee" means the fee established herein to fund capital facilities needed to serve new development's demand on the Town's sanitary sewer system. d. Other terms shall have the meanings set forth in the Impact Fee Analyses and the Impact Fees Act.

Section 5. Adoption of Impact Fee Analyses. The Town Council hereby adopts and incorporates by reference the Impact Fee Analyses for Culinary Water Services and Sanitary Sewer Services dated February 19, 2026, which analyses shall be on file with the Town Recorder and available for public inspection.

Section 6. Impact Fees Established. a. Impact fees are hereby established for new connections and new development within the Town's municipal boundaries and applicable impact fee service areas as described in the adopted IFAs. b. The amount, calculation method, and applicability of the Culinary Water Impact Fee and the Sanitary Sewer Impact Fee shall be as set forth in the adopted IFAs and any accompanying schedules on file with the Town Recorder. c. Impact fees shall be paid at the time and in the manner set by the Town's fee schedule or development regulations, subject to the provisions of the Impact Fees Act.

Section 7. Use and Accounting of Impact Fee Revenues. a. Impact fee revenues shall be used only to acquire, construct, or finance capital facilities identified in the adopted IFAs that are reasonably related to serving new development, as permitted by the Impact Fees Act. b. The Town shall maintain separate accounting records for each type of impact fee, including receipts and expenditures, and shall provide accounting and reporting in accordance with the Impact Fees Act. c. Interest earned on impact fee accounts shall be treated in accordance with the Impact Fees Act.

Section 8. Credits, Exemptions and Refunds. a. The Town shall provide credits, exemptions, or refunds where required by the Impact Fees Act or as otherwise set forth in the Town's development regulations and fee schedule. b. Any developer or property owner claiming a credit, exemption, or refund must follow the procedures established by the Town and provide any documentation required by the Town Recorder.

Section 9. Appeals and Administrative Review. Any person aggrieved by an application of an impact fee under this ordinance may appeal or request review according to the procedures set forth in the Impact Fees Act and the Town's administrative appeals procedures. Time limits and filing requirements for appeals shall be those specified by state law and Town ordinances.

Section 10. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is held invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect the validity of the remaining portions of this ordinance.

Section 11. Effective Date. This ordinance shall take effect upon adoption by the Town Council and as otherwise provided by law. Impact fees adopted under this ordinance shall apply to new development after the effective date except where a different effective date or applicability is specified in the IFAs or by state law.

PASSED and ADOPTED by the Town Council of the Town of Mantua, Utah, this 19th day of February, 2026.

TOWN OF MANTUA

ATTEST:

Mayor Annette Ash

Sherita Schaefer, Town Recorder

Posting Date: _____