

RESOLUTION 26-03-05

A RESOLUTION OF THE HINCKLEY TOWN COUNCIL, HINCKLEY, UTAH, AMENDING AND SUPPLEMENTING RESOLUTION 25-07-03 THAT ESTABLISHED A REQUIREMENT FOR THE TIMELY INSTALLATION OF WATER AND SEWER SERVICE CONNECTIONS AND PROVIDING FOR PAYMENT OF ADDITIONAL MATERIAL SUPPLY COSTS IN THE EVENT OF DELAY.

The Town Council of Hinckley, Utah referred to in this resolution as the "Town Council", hereby recites the following as the basis for adopting this resolution:

RECITALS

WHEREAS, Hinckley Town passed Resolution 25-07-03 clarifying that sewer and water connections paid for, but not installed are responsible for increased fees, costs, and materials at the time of actual installation; and

WHEREAS, Hinckley Town has passed impact fee ordinances and the Town desires to clarify that purchasers are responsible for impact fees applicable at the time of installation, not the time of purchase; and,

WHEREAS, the Hinckley Town Council is responsible for the management and distribution of safe and reliable water distribution services and sewer collection services to its residents; and

WHEREAS, the Town sells water service connections and sewer service connections to property owners for the purpose of connecting to the municipal water and sewer system; and

WHEREAS, historically, property owners have purchased water and sewer connections several years ago but failed to have such connections physically installed or integrated into the Town's systems at the time of purchase; and

WHEREAS, to ensure consistency in water and sewer connection supply materials, the Town purchases and provides these materials to a certified and licensed plumber at the time of connection; and

WHEREAS, it is in the best interest of the Town and its residents to ensure the timely and proper installation of all new water and sewer connections to maintain the integrity and efficiency of the systems; and

WHEREAS, the cost of connection supply materials is subject to market fluctuations and may increase over time; and

WHEREAS, the town has adopted **Ordinance 25-08-21** (Water Impact Fee) and **Ordinance 25-12-18** (Sewer Impact Fee) and may modify impact fees that are

applicable to the municipal water and sewer system to ensure that new growth pays its equitable share of the burden placed on Town infrastructure; and,

WHEREAS, applicable impact fees need to be paid at the rates adopted by the Town at the time of installation to ensure financial stability of the Town's enterprise funds; and,

WHEREAS, this Resolution is being adopted to clarify that impact fees are an additional fee that must be paid at the time of installation;

WHEREAS, the Town desires to establish a clear policy regarding the installation of purchased water and sewer service connections to prevent delays and to protect the Town from increased material supply costs or the administrative burden of indefinitely holding funds.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Hinckley, Utah:

Section 1. Installation Requirement. Any purchaser of a water and/or sewer connection service from Hinckley Town shall be required to have the water and/or sewer service connection installed by a certified licensed plumber. The installation shall be completed within one (1) year from the date of purchase of the service connection from Hinckley Town.

Section 2. When a water and/or sewer service connection has not been installed within the one-year period set forth in Section 1, the purchaser shall comply with Section 3 before installation or activation.

Section 3. Payment of Additional Fees. A previously purchased but uninstalled water or sewer connection entitles the purchaser only to a credit in the amount actually and verifiably paid, unless a written agreement with the Town expressly provides otherwise, and does not entitle the purchaser to installation or activation at superseded connection charges, material prices, or impact fee schedules. Prior to installation or activation of the water and/or sewer connection service, the purchaser shall pay all then-effective and legally applicable connection charges, material-cost differentials, and impact fees, less documented credits previously paid toward the same charge category. The Town shall provide an updated written invoice itemizing the amounts due.


Section 4. Proof of Purchase and Specificity. Any individual or entity seeking to install a historical water or sewer connection purchased prior to March 5, 2026, must provide the Town Clerk with:

1. **Proof of Purchase:** A valid receipt or official Town record indicating the date of purchase and the exact amount paid.

2. **Parcel Dedication:** Written documentation or proof that the connection was dedicated to a specific lot or parcel at the time of purchase.
Hinckley Town Code Title 8-1-18: NON-TRANSFER OF WATER AND/OR SEWER CONNECTIONS: Water and/or sewer connections owned and purchased are to be connected to the specific property which they serve and are not owned by the landowner, and may not be transferred to any other property for any reason unless an exception is granted by the Town Council due to physical factors associated with the premises.

Section 5. Effective Date. This resolution shall take effect upon adoption by the Hinckley Town Council.

PASSED AND APPROVED THIS 5 DAY OF March 2026.



Alan J. Miller, MAYOR

ATTEST: 

Tresa Taylor, Town Clerk

VOTING:

Skip Taylor	Yea <u>✓</u>	Nay <u> </u>
Chris Mork	Yea <u>✓</u>	Nay <u> </u>
Alan J. Miller	Yea <u>✓</u>	Nay <u> </u>
Ron Black	Yea <u>✓</u>	Nay <u> </u>
Kristi Townsend	Yea <u> </u>	Nay <u>✓</u>