

TOWN OF MANTUA ORDINANCE NO. 2026-04-16(A)
AN ORDINANCE ADOPTING AN IMPACT FEE ANALYSIS AND AN IMPACT FEE ORDINANCE
FOR CULINARY WATER 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 an Impact Fee Analysis (IFA) for Culinary Water Services which sets forth the nexus between new development and the need for additional capital facilities, and which establishes the method of calculating proposed impact fees for that system; 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 IFA; and

WHEREAS, a public hearing was held on April 16, 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 IFA and impact fees; and

WHEREAS, the Town Council has reviewed the IFA, considered public comment, and found that the IFA demonstrates 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 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 IFA for Culinary Water Services identifies capital facilities reasonably related to new development, establishes the proportionate share of facility costs attributable to new development, and provides 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 system.

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:

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. "ERC" (Equivalent Residential Connection) means a unit of measurement used to determine the impact of a typical single-family residential connection on the culinary water system.

Section 5. Adoption of Impact Fee Analyses. The Town Council hereby adopts and incorporates by reference the Impact Fee Analysis for Culinary Water Services dated April 16, 2026, which analysis shall be on file with the Town Recorder and available for public inspection.

Section 6. Impact Fees Established. The Town hereby establishes the Culinary Water Impact Fee as follows:

a. Maximum Fee: The maximum water impact fee the Town may assess for each new ERC is \$13,805. The Town Council may, by resolution or through its fee schedule, adopt a fee amount equal to or lower than this maximum, but in no case higher.

b. Residential Connections: Each new single-family residential connection shall be assessed one (1) ERC.

c. Non-Residential Connections: For new commercial, industrial, and institutional connections, the number of ERCs shall be calculated by taking the projected average day demand for the new connection and dividing it by the average day demand of 1,576 gpd/ERC (as derived from the City's 2022 Culinary Water System Study). This calculated ERC value shall then be multiplied by the impact fee amount per ERC to determine the total fee for the new connection.

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 16th day of April, 2026.

TOWN OF MANTUA

ATTEST:

Mayor Annette Ash

Sherita Schaefer, Town Recorder

Posting Date: _____