

**ORDINANCE NO. 2021-43**  
**AN ORDINANCE OF WASHINGTON CITY APPROVING AND ADOPTING AN**  
**IMPACT FEE FACILITIES PLAN AND ADOPTING ELECTRICAL IMPACT FEES**

**WHEREAS** the City Council of Washington City ("City Council") finds and determines that growth and development activity in the City will create additional demand and need for electrical system facilities serving the City;

**WHEREAS** the City has, pursuant to Utah Code Ann. §11-36a-301, required and received a study and analysis performed addressing the impact that growth and development will have on the City's electrical system facilities, and to determine projected needs as the City grows, which study and analysis shall serve as a capital facilities plan for the electrical system;

**WHEREAS** the City Council desires to give formal acceptance and approval of said impact fee facilities plan for the electrical system;

**WHEREAS** the City Council desires to impose impact fees based upon said impact fee facilities plan for the electrical system and the analysis contained therein;

**WHEREAS** the City Council finds that impact fees should be charged to all new connections to the City's electrical system, which may be used to pay for the debt service associated with surplus capacity built into the system and the cost of improvements to the system that are required to support new growth and development as new connections are added to the system (and thereby amend and replace the existing electrical impact fees); and

**WHEREAS** the City Council, after a public notice as required by law, held a public hearing on October 13, 2021, to consider the adoption of this Ordinance, a copy of which, as well as a copy of the impact fee facilities plan for the electrical system, has been made available for public inspection at the Washington City Office Building for a period of 14 days prior to such public hearing.

**NOW THEREFORE, BE IT HEREBY ORDAINED** by the City Council as follows:

1. Washington City hereby approves and adopts, and incorporates by reference, the following documents for the electrical system of City: *2020 Washington City Power – Capital Facility Plan*, dated April 2020, and *Impact Fee Facility Plan*, dated August 2020, prepared by Intermountain Consumer Professional Engineers, Inc. and the *Electrical Impact Fee Analysis*, dated May 2021, prepared by Utility Financial Services, LLC.

2. The City hereby establishes one service area consisting of the entire

geographical area of Washington City that is served by the City's electrical system, including future annexed areas.

3. The City hereby amends, supersedes and replaces the existing electrical impact fee schedule and hereby establishes the following impact fees to be charged to all new connections to the City's electrical system, which impact fees shall be paid to the City:

**Washington City Impact Fee 2021**  
**Summary of Impact Fees For Residential Customers**

<b>Line No.</b>	<b>Description / Panel Rating</b>	<b>Impact Fee **</b>
<b><i>Impact Fee Charge for Applicable Panel Size</i></b>		
<b><u>Residential (120/240 V, 1 phase)</u></b>		
1	100 Amp (min. size)	\$ 1,387
2	125 Amp	\$ 1,733
3	150 Amp	\$ 2,080
4	200 Amp	\$ 2,773
5	225 Amp	\$ 3,120
6	400 Amp	\$ 5,546
7	600 Amp	\$ 8,320
8	800 Amp	\$ 11,093
<b><u>Residential (208/120 V, 3 phase Apartments)</u></b>		
9	100 Amp (min. size)	\$ 2,081
10	125 Amp	\$ 2,602
11	150 Amp	\$ 3,122
12	200 Amp	\$ 4,163
13	225 Amp	\$ 4,683
14	400 Amp	\$ 8,326
15	600 Amp	\$ 12,488
16	800 Amp	\$ 16,651
17	1000 Amp	\$ 20,814
18	1200 Amp	\$ 24,977
19	1600 Amp	\$ 33,302

\*\* For Panel Sizes not listed Impact Fees will be calculated by the Power Department.

**Washington City Impact Fee 2021**  
**Summary of Impact Fees For Commercial Customers**

Line No.	Description / Panel Rating	Impact Fee **
<b><i>Impact Fee Charge for Applicable Panel Size</i></b>		
<b><u>Commercial (120/240 V, 1 phase)</u></b>		
20	100 Amp (min. size)	\$ 2,219
21	125 Amp	\$ 2,774
22	150 Amp	\$ 3,329
23	200 Amp	\$ 4,439
24	225 Amp	\$ 4,993
25	400 Amp	\$ 8,877
26	600 Amp	\$ 13,316
<b><u>Commercial (208/120 V, 3 phase)</u></b>		
27	100 Amp (min. size)	\$ 3,331
28	125 Amp	\$ 4,164
29	150 Amp	\$ 4,997
30	200 Amp	\$ 6,663
31	225 Amp	\$ 7,496
32	300 Amp	\$ 9,994
33	400 Amp	\$ 13,325
34	600 Amp	\$ 19,988
35	800 Amp	\$ 26,651
36	1200 Amp	\$ 39,976
37	1600 Amp	\$ 53,301
38	2000 Amp	\$ 66,627
39	2500 Amp	\$ 83,283
40	3000 Amp	\$ 99,490
41	4000 Amp	\$ 133,253
<b><u>Commercial (480/277 V, 3 phase)</u></b>		
42	200 Amp (min. size)	\$ 15,458
43	225 Amp	\$ 17,390
44	400 Amp	\$ 30,916
45	800 Amp	\$ 61,833
46	1200 Amp	\$ 92,749
47	1400 Amp	\$ 108,207
48	2000 Amp	\$ 154,582
<b><u>Special Services (120/240 V, 1 phase) *</u></b>		
49	60 Amp	\$ 666

\* By special approval (includes sprinkler controllers; gate openers; and fiber optic communication boosters, etc.with limited load requirements).

\*\* For Panel Sizes not listed Impact Fees will be calculated by the Power Department.

**Note:**

The listed fees are based on the impact fee study methodology and typical standard panel ratings. All installations may not fit within one of the standard panel ratings shown and, if not, fees charged shall be based upon the same methods used in the study to set the impact fee. Fees are rounded to the nearest dollar.

4. The City Council may adjust the impact fees at the time the same is charged to (a) respond to unusual circumstances in specific cases and (b) ensure that the impact fees are imposed fairly.

5. The City may adjust the amount of electrical impact fees to be made or paid on any specific development based upon studies and data submitted by the developer.

6. All impact fees received by the City pursuant to this Ordinance shall be used for, and, as appropriate, refunded in compliance with Utah Code Ann. §§11-36a-603, as amended.

7. Any fee payer that has paid an impact fee pursuant to this Ordinance may challenge the impact fee by filing:

- (a) an appeal to the City pursuant to section 8 of this Ordinance; or
- (b) a request for arbitration as provided in Utah Code Ann. §11-36a-705(1), as amended; or
- (c) an action in state district court as provided in Utah Code Ann. §11-36a-703(2)(c), as amended.

8. Any person or entity who has paid or made an impact fee required by this Ordinance may challenge or appeal the impact fee by filing a written notice of appeal with the City Manager within 30 days of the date that the fee was paid or made. Upon receiving the written challenge or appeal, the City shall set a hearing date to consider the merits of the challenge or appeal. The hearing panel, which shall consist of the City Council or such other body as the City shall designate, shall hold a hearing and make a decision within 30 days after the date that the challenge or appeal is filed. The person or entity challenging or appealing the fee may appear at the hearing and present any written or oral evidence deemed relevant to the challenge or appeal. Representatives of the City may also appear and present evidence to support the imposition of the fee. The decision of the hearing panel shall be in writing and shall be supported by written findings and a written or taped record of the hearing sufficient for a judicial review of the findings. No appeal shall be permitted unless and until the impact fees at issue have been paid.

9. This Ordinance supersedes and/or repeals the provision(s) of any ordinance(s) or resolution(s) that is/are inconsistent with the provisions of this Ordinance.

10. This Ordinance shall take effect upon publication or posting.

**PASSED AND ORDERED POSTED** this 13th of October, 2021.


WASHINGTON CITY



By:

  
Kenneth Neilson, Mayor

ATTEST:

  
Tara Pentz, City Recorder