

GRAND WATER & SEWER SERVICE AGENCY

RESOLUTION NO. 2026-07-16-a

**A RESOLUTION OF THE GRAND WATER & SEWER SERVICE AGENCY ADOPTING THE
IMPACT FEE FACILITY PLAN (IFFP) AND IMPACT FEE ANALYSIS (IFA) 2026 TO INCLUDE
THE RECOMMENDED IMPACT FEE**

WHEREAS, through the terms of the Interlocal Agreement forming the Grand Water & Sewer Service Agency ("Agency"), the member districts conferred and delegated to the Agency all rights, duties, powers, privileges, and authority necessary to own, operate, maintain, improve, and expand the Agency's culinary water system; and

WHEREAS, the Agency is responsible for providing safe, reliable, and sustainable culinary water service throughout its service area; and

WHEREAS, The Agency is responsible for providing safe, sanitary sewer service through its service area; and

WHEREAS, new growth places an additional burden on the Agency's sewer and culinary water system and creates the need for new infrastructure and system improvements; and

WHEREAS, the Utah Impact Fees Act, Utah Code Title 11, Chapter 36a, authorizes the Agency to impose impact fees on new development to mitigate the impact of such development on public infrastructure and to recover only the proportionate share of the costs of system improvements attributable to future growth, while excluding costs associated with improvements that increase the level of service for existing customers; and

WHEREAS, the Grand Water & Sewer Service Agency ("Agency") is authorized to impose impact fees in accordance with the Utah Impact Fees Act and applicable constitutional requirements, including that any impact fee bears an essential nexus to the impacts of new development and be roughly proportional to the burden created by such development; and

WHEREAS, the Utah Impact Fees Act requires the Agency to prepare a written Impact Fee Analysis prior to adopting or amending impact fees, demonstrating that the proposed fees are reasonably related to the impacts of anticipated development and are proportionate to the costs of existing and future system improvements necessary to serve that development; and

WHEREAS, the Board of Directors has reviewed the Impact Fee Facility Plan (IFFP) and Impact Fee Analysis (IFA) 2026, together with the supporting information contained therein, including the consideration of the factors established by the Utah Supreme Court in *Banberry Development Corp. v. South Jordan Town* and subsequent Utah appellate

decisions, and finds that the proposed impact fees are reasonable, proportionate, and consistent with applicable law; and

NOW, THEREFORE, BE IT RESOLVED by the Grand Water & Sewer Service Agency that:

1. The Board hereby accepts and adopts the “IMPACT FEE FACILITY PLAN (IFFP) AND IMPACT FEE ANALYSIS (IFA) 2026” (Exhibit “A”).
2. The Agency Manager and/or their designees are authorized to administer and enforce the provisions of Exhibit "A" and to approve minor administrative revisions, formatting changes, updated references to industry standards, and other non-substantive modifications necessary to maintain the effectiveness of the document, provided such revisions do not materially alter Agency policy without approval of the Board of Directors.
3. This Resolution will shall become effective immediately upon its adoption by the board of directors.

Adopted by the Grand Water & Sewer Service Agency on July 16th, 2026, by the following vote:

Aye: _____

Nay: _____

Abstained: _____

Absent: _____

ATTEST:

GARY WILSON, PRESIDENT

BENJAMIN MUSSELMAN, AGENCY MANAGER