



Administrative Policy
DEVELOPMENT FEES – VACANT OR
PREVIOUSLY DEVELOPED PROPERTIES
Water Division – A609

Effective Date:

October 2010

Revised Date:

June 2014

WATER DEVELOPMENT FEE APPLICABILITY DETERMINATION FOR VACANT OR PREVIOUSLY DEVELOPED PROPERTIES

Summary

From time to time a building permit will be requested for a property that is receiving or has received Town water service. The question arises of whether a Water Development Fee (WDF) determination and payment of the fee is required.

Process

The Payment of a WDF is required when an improvement to a property will establish water use for the property or increase water use for the property beyond the EDU equivalent WDF previously paid.

Residential Properties and Applicable WDF's :

- 1) Contemporary Remove and Replace of residential structure
 - a) All prior applicable WDF's were paid at the time the original residential structure was built and the parcel received public water service on or after August 1, 1980 – **No additional WDF's**
 - b) Applicable WDF's were not paid at the time the original residential structure was built – **Current applicable WDF's are due**
- 2) Vacant parcel that was previously developed as a residence
 - a) All prior applicable WDF's were paid at the time the original residential structure was built and the parcel received public water service on or after August 1, 1980 – **No additional WDF's**
 - b) Applicable WDF's were not paid at the time the original residential structure was built – **Current applicable WDF's are due**
- 3) Vacant parcel that has previously received public water for non residential use, such as irrigation
 - a) **Current WDF's (less any prior WDF's paid) must be paid**



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- 4) Vacant parcel that has not received public water
 - a) **Current WDF's must be paid**
- 5) For residential property scenarios not addressed by this policy, the Water Division Manager, in consultation with the Town Manager and Town Attorney shall determine if a WDF is required.

Factors to be Considered for Commercial Properties:

- 1) All WDF's are based upon projected peak water use.
- 2) Any change in use of a parcel or suite will trigger a review to determine if any applicable WDF's are owing.
- 3) All WDF's paid remain with the parcel or suite.
- 4) If the proposed water usage is greater in EDU's than the EDU equivalent WDF previously paid, the additional EDU equivalent WDF must be paid prior to the issuance of any building permits. Any deferred payment arrangement allowed by the Town Code is applicable.
- 5) If the developer of a project previously paid a WDF for the project as a whole and did not specify what particular suites within the project or define the space(s) to which the WDF applied, additional WDF's will be applicable if a new project exceeds the EDU equivalent of the WDF's previously paid.

Notes to be Considered for Both Residential and Commercial Properties :

- 1) WDF's run with the land. An owner may not transfer fees from one parcel to another.
- 2) The Town of Payson adheres to State Law and administers WDF's in a non-discriminatory manner.



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- 3) The property owner has the burden of demonstrating the payment of prior WDF's. The Town will provide any applicable records in its possession.
- 4) If a developer previously provided technical studies, storage tanks, and/or a water supply for a parcel, such parcel is not subject to the WDF for such studies, tanks, and/or supplies.

Historical Dates of Applicable Water Development Fees:

| <u>Effective Date</u> | <u>WDF</u> | <u>Authorizing Ordinance</u> |
|-----------------------|------------|------------------------------|
| July 29, 1980 | \$-0- | Res. 235 |
| May 22, 1986 | \$500.00 | Ord. 275 |
| October 3, 1996 | \$1,503.00 | Ord. 480 |
| October 17, 1996 | \$1,503.00 | Ord. 481 |
| November 12, 1998 | \$3,785.00 | Ord. 528 |
| February 25, 1999 | \$3,785.00 | Ord. 537 |
| June 21, 2007 | \$7,570.00 | Res. 718A |
| September 2, 2010 | \$7,570.00 | Res. 789 |
| May 15, 2014 | \$6,592.00 | Ord. 838 |