

RESOLUTION NO. 2024-07

A RESOLUTION AMENDING SECTION 17.010 OF THE CENTERVILLE FEE SCHEDULE REGARDING STREET AND EXCAVATION PERMIT FEES TO ADD A FEE FOR PETITIONS TO VACATE MUNICIPAL OR PUBLIC UTILITY EASEMENTS

WHEREAS, the City has previously adopted fees and provisions regarding streets and excavation permits as more particularly set forth in Section 17.010 of the Centerville Fee Schedule; and

WHEREAS, the City Council desires to amend Section 17.010 of the Centerville Fee Schedule regarding streets and excavation permits to add a fee for petitions to vacate municipal or public utility easement as more particularly set forth herein; and

WHEREAS, the City Council has determined that the amendments to the Centerville Fee Schedule as provided herein are desirable and necessary to charge fair and reasonable fees for services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Section 17.010 of the Centerville Fee Schedule regarding Streets and Excavation Permits is hereby amended to add a fee for requests to vacate a municipal or public utility easement as follows:

17.010 Street And Excavation Permits

The following fees shall apply for excavation permits and other street and public way permits.

Streets and Excavations	Fee	When Due
Public Utility Easement Vacation Request	\$500 ¹	Upon submittal of request
Municipal Easement Vacation Request	\$500 ¹	Upon submittal of request

¹ Professional Services Fees. In addition to the stated application fees, street name change, street vacation, easement vacation, and encroachment licenses shall ~~also~~ be required to submit a \$500 deposit for professional services, including engineering, consulting, and legal fees, incurred by the City for the proposed application. Applicants shall be responsible for paying actual costs incurred by the City for a particular application. The Professional Services Deposit will be used and applied toward such professional services costs actually incurred by the City. Applicants will be refunded any portion of the Professional Services Deposit not needed to reimburse the City for actual costs incurred and will be billed to the applicant for any additional professional services incurred by the

City in excess of the Professional Services Deposit. Costs for professional services will be allocated towards the deposit and/or billed to the applicant. Applicant may be required to re-fund the Professional Services Deposit once the deposit has been fully expended. Hourly rates and a detailed description of engineering, consulting, and legal services actually incurred by the City for any particular application shall be provided to the applicant upon request.

Section 2. Severability Clause. If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, ON THIS 20th DAY OF FEBRUARY, 2024.**

ATTEST:

CENTERVILLE CITY

Jennifer Robison
Jennifer Robison, City Recorder

By: Clark A. Wilkinson
Mayor Clark A. Wilkinson

CERTIFICATE OF PASSAGE AND EFFECTIVE DATE

According to the provisions of the U.C.A. § 10-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council and became effective upon passage or a later date as the governing body directed as more particularly set forth below.

Jennifer Robison
JENNIFER ROBISON, City Recorder

DATE: 2-21-24

EFFECTIVE DATE: 20th day of February, 2024.

