

**IMPACT FEE AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Candice B. Pierucci**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE****General Description:**

This bill amends provisions related to impact fees.

**Highlighted Provisions:**

This bill:

- defines terms;
- allows certain municipalities to impose an impact fee for development activity on certain property located in an unincorporated area; and
- prohibits certain counties from issuing a land use permit for development activity in an unincorporated area unless the county provides each adjacent municipality an opportunity to impose an impact fee.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**11-36a-207**, Utah Code Annotated 1953**17-27a-526**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **11-36a-207** is enacted to read:

**11-36a-207. Adjacent municipality impact fees.**

(1) Notwithstanding any other provision of this chapter, a municipality in a county of the first class may impose an impact fee on development activity that occurs on property that:

(a) is located within the unincorporated area of the county in which the municipality is located; and

(b) shares a common boundary with the municipality.

(2) A municipality that imposes an impact fee under this section shall comply with the provisions of this chapter.

Section 2. Section **17-27a-526** is enacted to read:

**17-27a-526. Adjacent municipality impact fees -- County limitation on issuing land use permit.**

(1) As used in this section:

(a) "Adjacent municipality" means a municipality that:

(i) is located in a county of the first class; and

(ii) shares a common boundary with property where development activity is proposed.

(b) "Development activity" means the same as that term is defined in Section [11-36a-102](#).

(2) Notwithstanding any other provision of law, a county of the first class may not issue a land use permit for development activity within the unincorporated area of the county unless:

(a) the county allows each adjacent municipality an opportunity to impose an impact fee on the development activity under Section [11-36a-207](#); and

(b) if an adjacent municipality imposes an impact fee, the impact fee is paid.