

**Effective 5/13/2014**

**17B-1-121 Limit on fees -- Requirement to itemize and account for fees -- Appeals.**

- (1) A local district may not impose or collect:
  - (a) an application fee that exceeds the reasonable cost of processing the application; or
  - (b) an inspection or review fee that exceeds the reasonable cost of performing an inspection or review.
- (2)
  - (a) Upon request by a service applicant who is charged a fee or an owner of residential property upon which a fee is imposed, a local district shall provide a statement of each itemized fee and calculation method for each fee.
  - (b) If an applicant who is charged a fee or an owner of residential property upon which a fee is imposed submits a request for a statement of each itemized fee no later than 30 days after the day on which the applicant or owner pays the fee, the local district shall, no later than 10 days after the day on which the request is received, provide or commit to provide within a specific time:
    - (i) for each fee, any studies, reports, or methods relied upon by the local district to create the calculation method described in Subsection (2)(a);
    - (ii) an accounting of each fee paid;
    - (iii) how each fee will be distributed by the local district; and
    - (iv) information on filing a fee appeal through the process described in Subsection (2)(c).
  - (c)
    - (i) A local district shall establish an impartial fee appeal process to determine whether a fee reflects only the reasonable estimated cost of delivering the service for which the fee was paid.
    - (ii) A party to a fee appeal described in Subsection (2)(c)(i) may petition for judicial review of the local district's final decision.
- (3) A local district may not impose on or collect from a public agency a fee associated with the public agency's development of the public agency's land other than:
  - (a) subject to Subsection (1), a hookup fee; or
  - (b) an impact fee, as defined in Section 11-36a-102 and subject to Section 11-36a-402, for a public facility listed in Subsection 11-36a-102(16)(a), (b), (c), (d), (e), or (g).

Amended by Chapter 189, 2014 General Session