

CHAPTER 26. FEES

1-26-1. Fee Establishment Authority.

1-26-2. Fee Appeal Authority.

1-26-1. Fee Establishment Authority.

The City Council is authorized to establish Tooele City fees by resolution, to be incorporated into a Tooele City Fee Schedule, for activities regulated by the City, for applications approved by the City, for permits issued by the City, for services delivered by the City, and otherwise as allowed by law.

(Ord. 2011-16, 08-17-11)

1-26-2. Fee Appeal Authority.

(1) Unless provided otherwise by a specific provision of the Utah Code or Tooele City Code, the Mayor shall be the Appeal Authority for purposes of appealing a City fee.

(2) Unless provided otherwise by a specific provision of the Utah Code or Tooele City Code, all appeals of City fees shall be filed in writing within the later of (a) 10 calendar days of payment of the fees, or (b) if an itemized fee statement has been requested pursuant to U.C.A. §10-9a-510, within 10 calendar days of the City providing the itemized fee statement.

(3) The appellant has the burden of proving that the fee paid does not reflect the reasonable estimated cost of

- (A) regulating the industry
- (B) processing the application
- (C) issuing the permit, or
- (D) delivering the service.

(4) The appellant shall state in the written appeal the full legal and factual basis for the appeal.

(5) The Mayor shall evaluate the merits of the appeal and shall issue a written decision within 15 calendar days of the filing of the appeal. The Mayor's decision shall state its effective date and shall constitute the City's final decision regarding the fee.

(6) The Mayor shall provide a copy of each written decision to the City Council.

(7) The Mayor's decision is subject to District Court review as provided by U.C.A. §10-9a-801 *et. seq.*
(Ord. 2011-16, 08-17-11)