

## Chapter 15.36 IMPACT FEES

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### **Section 15.36.110 Administrative appeal.**

A. Any person or entity residing in or owning real property within the service area, or a developer who is to be or has been assessed and charged a public safety impact fee under this chapter, may challenge the validity or reasonableness of the public safety impact fee by filing an application with the Davis County Department of Community and Economic Development using forms approved by that department together with relevant and appropriate documentation.

1. If the fee has been assessed and written notice given to the person or entity but not paid, the application shall be filed within thirty (30) calendar days of the issuance of that assessment notice.

2. If the fee has already been assessed and collected, the application shall be filed within 30 calendar days of that payment.

B. Any affected or potentially affected person or entity who wishes to challenge the public safety impact fee may file a written request of information concerning the fee. Within two (2) weeks of the receipt of that request, the County shall provide a copy of the written analysis, the capital facilities plan, and other relevant information relating to the fee to the requester.

C. The appeal application and attached documents shall be reviewed by the Davis County Department of Community and Economic Development for completeness. The Department shall notify the applicant of any incompleteness. The Department shall submit the completed application, attached documents, and the recommendations of the Department to the County Commission within five (5) calendar days.

D. A hearing shall be held by the County Commission in a public meeting, but not as a public hearing, within thirty (30) calendar days of the filing of the complete application. Written notice of the date, time, and place of the hearing shall be given to the applicant and other interested parties at least three (3) business days before the hearing.

E. Upon the conclusion of the hearing and within thirty (30) calendar days of the filing of the appeal application, the County Commission shall take action and render a decision upon the appeal. The County Commission shall make written findings, issue its decision in writing, and give copies of its findings and decision to the applicant.

F. If the hearing is not held, or the findings and decision not made within the time period specified by this section, the appeal may be deemed denied.

(Ord. 13-2007C, Add, 09/25/2007)