

RESOLUTION NO. 2633

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, CONFIRMING THAT THE TOWN'S CURRENT DEVELOPMENT IMPACT FEES WERE ADOPTED PRIOR TO JANUARY 1, 2012 AND SUCH FEES ARE BEING COLLECTED FOR NECESSARY PUBLIC SERVICES AS DEFINED IN ARIZONA STATE SENATE BILL 1525.

WHEREAS, pursuant to A.R.S. § 9-463.05, the Town of Payson is authorized to adopt and collect Development Impact Fees; and

WHEREAS, the Town currently has adopted and collects four Development Impact Fees - Water, Public Safety, Parks, and Streets; and

WHEREAS, Senate Bill 1525, approved by the Arizona Legislature on April 19, 2011 and signed into law by the Governor on April 26, 2011 ("SB1525"), included amendments to Arizona's Development Impact Fee statutes; and

WHEREAS, SB1525 requires all cities and towns to conduct new studies and adopt new Development Impact Fees prior to August 1, 2014; and

WHEREAS, SB1525 prohibits cities and towns from collecting any existing Development Impact Fees between January 1, 2012 and August 1, 2014 unless such fees (1) were adopted prior to January 1, 2012 and (2) meet the definition of Necessary Public Services as defined in SB1525; and

WHEREAS, the Town adopted its current Development Impact Fees prior to January 1, 2012; and

WHEREAS, the Town's current Development Impact Fees (Water, Public Safety, Parks, and Streets) are Necessary Public Services as defined in SB 1525,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:

- Section 1. The recitals above are hereby incorporated as if fully set forth herein.
- Section 2. The Town Council finds and determines that the Town's current Development Impact Fees were adopted prior to January 1, 2012.
- Section 3. The Town Council finds and determines that the Town's current Development Impact Fees are collected and used for Necessary Public Services as defined in SB1525.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, this _____ day of November 2011, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk



Timothy M. Wright, Town Attorney