

RESOLUTION NO. 85-132

A RESOLUTION ESTABLISHING AND SETTING THE REAL AND PERSONAL PROPERTY TAX LEVY FOR FISCAL YEAR 1985-86 FOR PROPERTY WITHIN THE JURISDICTION OF THE CITY OF DELTA, UTAH.

RECITALS

The City Council of the City of Delta, Utah, referred to herein as the "City Council," hereby recites the following as the basis for adopting this resolution:

A. The City Council has adopted the Delta City Budget for Fiscal Year 1985-86, which budget contains the expenditures determined by the City Council as being necessary to maintain an acceptable level of municipal services and operations within the City of Delta, Utah.

B. The City Council has established a policy of developing a tax structure for the City of Delta that will properly balance the tax impact on property owners and establish equitable distribution of tax burdens.

C. The budget adopted by the City Council for Fiscal Year 1985-86 provides for 8.57 mills as the real and personal property tax mill levy.

D. House Bill 328 as enacted by the Utah Legislature in the 46th General Session in 1985 provides that property taxation shall be established based on an annual levy, rather than on a mill levy.

E. Section 10-6-133 of the Utah Uniform Fiscal Procedures Act provides that before the 15th day of June of each year the governing body of each city shall, by ordinance or resolution, set the real and personal property tax levy for municipal purposes and further provides that the levy may be set at an appropriate later date with the approval of the Utah Tax Commission and the Utah Tax Commission has authorized approval at a later date for 1985.

F. The City Council has determined that it is appropriate to enact a resolution setting the real and personal property tax levy within the City of Delta and that said resolution be adopted within the additional time provided for by the Utah State Tax Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Delta, Utah as follows:

1. Tax Levy. The real and personal property tax levy for such property within the jurisdiction of the City of Delta,

Utah for Fiscal Year 1985-86 shall be .001714, or the equivalent of 8.57 mills as calculated by the method used for establishment of a mill levy prior to enactment of House Bill 328 as cited above, as set forth in the Fiscal Year budget for Fiscal Year 1985-86 heretofore adopted by the City Council.

2. Apportionment. The revenue acquired by the City of Delta from real and personal property taxes shall be apportioned as follows:

General Fund	76.66% of property tax revenues or 6.57 mills
General Obligation Bond Retirement	23.34% of property tax revenues or 2.0 mills

3. Effective Date. This resolution shall become effective upon adoption.

4. Severability. In the event that any provision of this resolution less than the entire resolution is held invalid by a court of competent jurisdiction, this resolution shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this resolution.

5. Repeal of Conflicting Resolutions. To the extent that any resolutions or policies of the City of Delta conflict with the provisions of this resolution, they are hereby amended to be in accordance with the provisions hereof.

PASSED AND APPROVED THIS 29 day of July, 1985.

Grant S Nielson
GRANT S NIELSON, Mayor

Attest:

Dorothy Jeffery
DOROTHY JEFFERY,
City Recorder

CERTIFICATION

I, the undersigned duly appointed and acting City Recorder, hereby certify that the foregoing is a true and correct copy of a resolution setting the property tax levy for the City of Delta, Utah, as adopted and approved by the City Council of the City of Delta, Utah on July 29, 1985.

(City Seal)

Dorothy Jeffery
DOROTHY JEFFERY,
Delta City Recorder