RESOLUTION NO. 90- 189

A RESOLUTION OF THE CITY OF DELTA, UTAH REVISING SERVICE CHARGES FOR DITCH TAX USER FEES AND IRRIGATION WATER RENTAL FEES.

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. Delta City has experienced significant increases in the maintenance and operation costs associated with the delivery of water for irrigation purposes. Therefore, the City Council has determined that an increase in user fees will be necessary to cover the costs associated with the delivery of such water.

B. The City Council has heretofore established a ditch tax user fee and irrigation water rental fee whereby each user or class of users of such services are required to pay an equitable amount for the benefits received by them based on the cost of operation, maintenance and delivery of such water.

C. The City Council has determined, through records and other information on file in the Delta City offices, that Delta City should establish a rate schedule for a ditch tax users fee and an irrigation water rental fee.

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

1. Previous Rate Schedules Repealed. Rate schedules heretofore established and adopted by the City Council for the purpose of providing water to Delta City irrigation system users are hereby repealed.

2. Ditch Tax User Fee and Water Rental Fee Adopted. The fees charged to Delta City irrigation system users are hereby fixed in accordance with the following schedule:

Subject	Service Charge
a. Ditch tax user fee	$30.00
b. Irrigation water rental fee	$25.00/per acre foot

3. Payment. Annual payments for the delivery of water to Delta City irrigation system users shall become due and payable on or before the 1st day of June, 1990 and on or before the 1st day of April of each and every year thereafter according to the rate schedule set forth above, and shall continue until such time as said rate schedule is changed by the City Council.

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

5. 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.

6. 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 ADOPTED this 23rd day of April, 1990.

GAYLE BUNKER, Mayor Pro Tempore

Attest:

DOROTHY JEFFERY,
City Recorder