

RESOLUTION NO 91-202

A RESOLUTION REQUESTING THE RECERTIFICATION OF THE MUNICIPAL JUSTICE COURT, IN AND FOR THE CITY OF DELTA, MILLARD COUNTY, STATE OF UTAH.

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

WHEREAS, the provisions contained in § 78-5-139(3) UCA (1953 edition), as amended, require that Justice Courts in the State of Utah be recertified at the end of each four (4) year term; and

WHEREAS, the term of the present Delta City Justice Court shall expire on the 3rd day of February, 1992; and

WHEREAS, the members of the City Council have received an Opinion Letter from the Delta City Attorney, which sets forth the requirements for the operation of the Justice Court and the feasibility of continuing to maintain said Court; and

WHEREAS, the members of the City Council have determined that it is in the best interest of Delta City to continue to provide for a Municipal Justice Court.

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

Section 1. Request for Recertification. The City Council hereby request recertification of the Delta City Municipal Justice Court by the Justice Court Standards Committee and the Utah Judicial Council.

BE IT FURTHER RESOLVED, that the City Council of the City of Delta hereby affirms their willingness to continue to meet all requirements set forth pursuant to State Law and by the Judicial Council for continued operation of the Delta City Municipal Justice Court for the next four (4) year term of said Court, except as to any requirements that may be waived by the Utah Judicial Council.

Section 2. Effective Date. This resolution shall become effective upon adoption.

Section 3. 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.

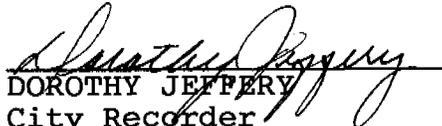
Section 4. Repeal of Conflicting Resolutions. To the extent that any resolutions or policies of the City of Delta conflict with the provisions of this resolution, they are hereby amended to be in accordance with the provisions hereof.

PASSED AND ADOPTED this 26th day of August, 1991.



DON DAFOE, Mayor

Attest:



DOROTHY JEFFERY
City Recorder

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