

**RESOLUTION NO. 94- 226**

A RESOLUTION AMENDING RESOLUTION 93-219, REVISING THE MONTHLY SERVICE CHARGES FOR USE OF THE DELTA CITY SEWER SYSTEM.

**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 Delta City sewer utility fund has experienced a significant increase in maintenance and operation costs since establishment of the present rates. The City Council has determined through preparation of the Delta City Fiscal Object Budget for fiscal year 1994-95 that the sewer utility operation and maintenance fund will therefore incur a significant deficit during the 1994-95 budget year unless sewer rates are increased.

B. The City Council has heretofore established and desires to confirm a policy that sewer charges, to the extent possible, should be structured such that each user or class of users of the sewer systems are required to pay an equitable amount for the benefits received by them based on the cost of operation, maintenance and depreciation of said systems.

C. The City Council has determined, through records and other information made available to it by the City Public Works Department, that certain adjustments should be made to the sewer system user fees to provide for more equitable allocation of such costs among users.

D. Section 14-216 of the Revised Ordinances of Delta City (1981 edition), as amended, provides that the City Council may establish and change sewer service rates by resolution.

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

1. Resolution Amended. Resolution No. 93-219 adopted by the City Council on July 26, 1993 establishing monthly and annual rates for use of the Delta Municipal sewer and water systems is hereby amended to establish new sewer rates for use of the Delta City municipal sewer system.

2. Resolution No. 84-110. With the exception of the new sewer rates re-established by this resolution, all other provisions set forth in Resolution No. 84-110 and Resolution No. 93-219 shall remain unchanged and shall continue in full force and effect as set forth therein.

3. Sewer Rates Adopted. The monthly and annual rates for sewer services from the Delta municipal sewer system as provided for in Section 14-216 of the Revised Ordinances of Delta City (1981 edition), as amended, are hereby fixed in accordance with the following schedule:

<u>Type of Facility</u>	<u>Monthly Service Charge</u>
a. Single family residence	\$11.00
b. Multiple family residences	\$11.00 per dwelling unit per month
c. Mobile home parks	\$11.00 per occupied mobile home space
d. Laundromats, laundries and dry cleaning establishments	\$70.40
e. Meat shop or business establish- ments in which a meat shop is located	\$54.25
f. Cafes and restaurants	\$63.50
g. Churches	\$26.00
h. Hospitals and similar facilities	\$101.00
i. Offices and commercial buildings	\$11.00 per restroom (or pair of rest- rooms designated for "Women" and "Men").
j. Hotels and motels shall be required to pay \$16.48 for the first licensed unit and \$1.40 per each additional licensed unit.	
k. Recreational vehicle and travel trailer parks shall be required to pay \$11.00 per month for the first licensed unit occupied during the month and \$3.45 for each additional occupied licensed unit.	
l. Car washes shall be required to pay \$63.50 per month.	
m. Industrial or agricultural users shall pay a monthly charge as determined by the City Council based on the quantity and type of effluent discharged, the biological oxygen demand load, and the times of discharge.	
n. Public and private schools shall be required to pay an annual fee of \$2.45 for each pupil enrolled, based on average annual enrollment.	
o. Any user of the municipal sewer system not listed above shall be required to pay a monthly charge of \$16.65 per month.	

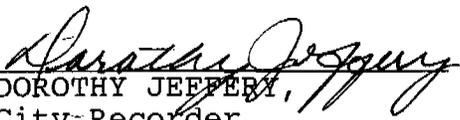
4. Effective Date. This resolution shall become effective upon adoption.

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 APPROVED this 20<sup>TH</sup> day of June, 1994.

  
DON DAFOE, Mayor

Attest:   
DOROTHY JEFFERY,  
City Recorder