

RESOLUTION NO. 98-253

A RESOLUTION AMENDING RESOLUTION 84-110 REGARDING FEE CONNECTIONS, SERVICE CHARGES AND COLLECTION PROCEDURES FOR THE DELTA CITY WATER AND SEWER SYSTEMS, BY REPEALING SECTION 8 OF RESOLUTION 84-110, ENTITLED "FIRE HYDRANTS" AND REDESIGNATING SECTIONS 9 THROUGH 17, INCLUSIVE, AS SECTIONS 8 THROUGH 16, INCLUSIVE.

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:

RECITALS

A. On or about July 30, 1984, the City Council adopted Resolution 84-110 establishing, among other things, fee connections, service charges and collection procedures.

B. Pursuant to Resolution 84-110, Section 8, Delta City was required to pay the municipal water system account a sum certain for each fire hydrant located on a public easement within the City of Delta for the cost of maintaining the fire hydrants and the cost of providing water for fire protection.

C. The City Council has determined that the procedure set forth in said Section 8 is no longer applicable inasmuch as Delta City no longer operates an independent fire department since the formation of the Millard County Fire District and such section has not been enforced.

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

E. The City Council further desires that all other provisions set forth in Resolution 84-110, and any amendments thereto remain in full force and effect.

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

Section 1. Resolution Amended. Section 8 of Resolution 84-110 adopted July 30, 1984, is hereby repealed in its entirety.

Section 2. Redesignation of Sections 9-17, inclusive, of Resolution 84-110. Sections 9-17, inclusive, of Resolution 84-110 shall be redesignated as follows:

Section 9 entitled "Responsibility for Line Extension" shall be redesignated as Section 8.

Section 10 entitled "Quantity Users" shall be redesignated as Section 9.

Section 11 entitled "Late Charges" shall be redesignated as Section 10.

Section 12 entitled "Encroachment Deposit" shall be redesignated as Section 11.

Section 13 entitled "Guaranty of Payment" shall be redesignated as Section 12.

Section 14 entitled "Collection Procedures" shall be redesignated as Section 13.

Section 15 entitled "Effective Date" shall be redesignated as Section 14.

Section 16 entitled "Severability" shall be redesignated as Section 15.

Section 17 entitled "Repeal of Conflicting Resolutions" redesignated as Section 16.

Section 3. Ratification of Resolution 84-110. All other provisions set forth in Resolution 84-110 and subsequent amendments thereto, shall remain unchanged and shall continue in full force and effect as set forth therein.

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

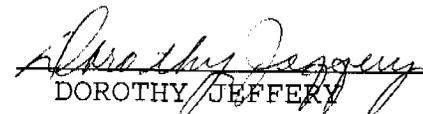
Section 5. Severability. In the event that any provision of this resolution less than the entire resolution is held invalid by a court of competent jurisdiction, this resolution shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this resolution.

Section 6. Repeal of Conflicting Resolutions. To the extent that any ordinances, 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 27th day of April, 1998.



R. DALE ROPER

Attest: 

DOROTHY JEFFERY
City Recorder