

City of Delta  
76 N 200 W  
Delta UT 84624-9440  
435 864 2759  
435 864 4313 FAX

*Certificate of Resolution Passage*

STATE OF UTAH            )  
COUNTY OF MILLARD    }  §  
CITY OF DELTA            )

I, GREGORY J. SCHAFFER, as the duly appointed, sworn and acting Delta City Recorder, do hereby certify that the attached, numbered as City of Delta Resolution Number 05-298 was duly adopted by the necessary quorum of the Delta City Council on June 16, 2005.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the corporate seal of said City.



*Gregory J. Schaffer CMC*  
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GREGORY J. SCHAFFER, CMC  
Delta City Recorder

RESOLUTION NO.05-298

A RESOLUTION REVISING THE MONTHLY SERVICE CHARGES FOR USE OF THE DELTA CITY WATER AND SEWER SYSTEMS AND ESTABLISHING A POLICY FOR RATES CHARGED TO HYDRANT USERS.

**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 water and sewer utility funds have experienced significant increases 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 2004-2005 that the water and sewer utility operations and maintenance funds will therefore incur a significant deficit during the 2005-06 budget year unless rates for water and sewer use are increased.

B. The City Council has heretofore established and desires to confirm a policy that water, 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 cost of operation, maintenance and depreciation of said system.

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 water and sewer system user fees to provide for more equitable allocation of such costs among users.

D. The City Council has determined that there is not a policy presently in effect for charging contractors and others who fill tankers or similar large containers with water from City hydrants, and the City Council has determined that a minimum rate of \$25 for 6,000 gallons or under of water pumped plus \$1.50 for each 1,000 gallons of water over 6,000 gallons pumped from City hydrants shall be paid by said users.

E. Sections 14-117 and 14-216 of the Revised Ordinances of Delta City (1981 edition), as amended, provides that the City Council may establish and change water and sewer service rates by resolution.

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

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

2. Water Rates Adopted. The monthly rates for users of the Delta municipal water system, as established by Section 14-117 of the Revised Ordinances of Delta City (1981 edition), as amended, are hereby fixed in accordance with the following schedule:

a. The rate for single family residences shall be \$16.00 per month for the first 6,000 gallons, with a charge of \$0.70 for each additional 1,000 gallons or fraction thereof registered on the water meter.

b. The monthly rate for residential users of the municipal water system located outside the City boundaries shall be \$32.00 per month for the first 6,000 gallons, with an additional charge of \$1.40 for each 1,000 gallons or fraction thereof registered on the water meter.

c. Commercial water users shall be charged in accordance with the following rates:

i. Motels and hotels shall be charged \$16.00 for the first licensed unit and \$0.90 for each additional licensed unit for the first 6,000 gallons and an additional \$0.70 for each 1,000 gallons or fraction thereof registered through the meter.

ii. Recreational vehicle and travel trailer parks shall be charged \$16.00 for the first licensed space and \$0.90 for each additional licensed space occupied during the month for the first 6,000 gallons and an additional \$0.70 for each 1,000 gallons or fraction thereof registered through the meter.

iii. Office buildings, retail establishments and all other non-residential users not otherwise listed in this resolution shall be required to pay \$16.00 per month per connection for the first 6,000 gallons plus an additional \$0.70 for each 1,000 gallons or fraction thereof registered through the meter for such connection.

d. The rate for multiple family residential dwellings and mobile home parks shall be \$15.40 for each occupied unit or space and an additional \$0.70 for each 1,000 gallons or fraction thereof registered through the meter in excess of an amount equal to the number of occupied dwelling units multiplied by an allowance of 6,000 per occupied dwelling unit or space per month.

e. The rate for commercial establishments, multiple family dwellings and mobile home parks located outside the corporate limits of Delta City shall be an amount equal to twice the rate such user would pay if the place of use were located within the Delta City boundaries, as determined in accordance with this resolution. The higher rates established for water delivered outside municipal boundaries are based on the following factors:

i. The increased cost associated with providing water to nonresidents where the delivery system must be maintained by Delta City;

ii Nonresidents are not subject to any liability attributed to making capital improvements, paying for municipal bonds, or maintaining the water delivery system; and

iii. Nonresidents do not share in the costs associated with making improvements to the water system.

f. Any user of a city hydrant shall pay a minimum of \$25.00 up to 6,000 gallons of water pumped and \$1.50 for each 1,000 gallons of water or fraction thereof over 6,000 gallons pumped from a city hydrant.

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	\$15.00
b. Multiple family residences	\$15.00 per dwelling unit per month
c. Mobile home parks	\$15.00 per occupied mobile home space
d. Laundromats, laundries and dry cleaning establishments	\$79.80
e. Meat shop or business establishments in which a meat shop is located	\$62.20
f. Cafes and restaurants	\$72.30
g. Churches	\$31.35
h. Hospitals and similar facilities	\$113.20
i. Offices and commercial buildings	\$15.00 per restroom (or pair of restrooms designated for "Women" and "Men").

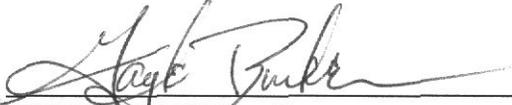
- j. Hotels and motels shall be required to pay \$21.00 for the first licensed unit and \$1.55 per each additional licensed unit.
- k. Recreational vehicle and travel trailer parks shall be required to pay \$15.00 per month for the first licensed unit occupied during the month and \$3.75 for each additional occupied licensed unit.
- l. Car washes shall be required to pay \$72.30 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 \$2.83 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 \$21.15 per month.

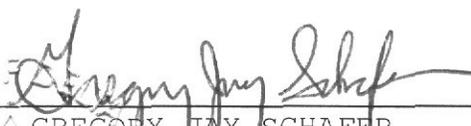
4. Effective Date. This resolution shall become effective upon adoption.

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 effective the first day of July, 2005.

  
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 GAYLE BUNKER, Mayor

Attest:   
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 GREGORY JAY SCHAFER  
 City Recorder

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