

RESOLUTION NO. 12-342

A RESOLUTION OF THE COUNCIL OF THE CITY OF DELTA, STATE OF UTAH, ESTABLISHING CERTAIN FEES IN A DELTA CITY CONSOLIDATED FEE SCHEDULE.

WHEREAS, the City of Delta, Utah (hereinafter the "City") maintains and operates a variety of programs and services to the public;

WHEREAS, Utah Code Ann. section 10-3-717, as amended, and certain Delta City Ordinances authorize the City Council to establish, impose, and collect fees to defray the costs of providing certain programs and services;

WHEREAS, the City Council has directed the City staff to prepare the attached "Delta City Consolidated Fee Schedule Dated: 02/02/2012" to establish and set forth the rates and fees to be charged by the City henceforth to defray the costs of providing programs and services listed.

NOW, THEREFORE, be it hereby RESOLVED by the Council of the City of Delta, State of Utah THAT:

Section 1. The City Council hereby determines that:

- a. Funds are needed to defray the cost of providing programs and services furnished by the City
- b. The funds needed to defray the operating expenses can and should be obtained by setting fees and charges for these programs and services.

Section 2. The Attached "Delta City Consolidated Fee Schedule Dated: 02/02/2012" is hereby adopted.

Section 3. To the extent that any resolution or fee schedule previously adopted by Delta City conflicts with the provisions of this Resolution, it is hereby amended, invalidated or, replaced by the provisions hereof.

Section 4. This resolution shall take effect immediately, as authorized by section 10-3-719 of the Utah Code Annotated.

2 PASSED AND ADOPTED by the City Council of the City of Delta, State of Utah on the day of FEBRUARY, 2012 by the following Vote:

	Aye	Nay	Abstain	Absent
Robert W. Banks	<u>✓</u>	_____	_____	_____

John W. Niles

✓

Steven R. Pratt

✓

Thomas N. Stephenson

✓

Betty Jo Western

✓

City of Delta

Gayle K. Bunker
GAYLE K. BUNKER, MAYOR

ATTEST:

Gregory Jay Schaffer
GREGORY JAY SCHAFER, MMC
City Recorder

Delta City Consolidated Fee Schedule: Dated 02/02/2012

Animal Control

Dog License – Altered (Spayed or Neutered), §13-242.A.	\$10.00
Dog License – Unaltered (Not Spayed or Neutered), §13-242.A.	\$15.00
<i>§13-242.E.: The fee due and payable shall be due February 1 and shall be delinquent after March 1 of each year. A penalty of 25 percent shall be added to delinquent payments.</i>	
Dog License Tag Replacement, §13-243.	\$1.00
Kennel License Fee (Three or More Dogs), §13-242.F.	\$50.00
Impound (1 st Occurrence), §13-252.	\$25.00
Impound (2 nd Occurrence), §13-252.	\$50.00
Impound (3 rd Occurrence & Thereafter), §13-252.	\$100.00
Boarding at Veterinarian Facility, §13-251.	\$10.00 per Day
Non-Conforming Use Permit for Chickens, §12-505, 12-524, Title 12 Appendix 3	\$10.00
License and Registration Requirement Violation, §13-242.A.	\$90.00
Running at Large Prohibition Violation, §13-244.A.	\$90.00
Dogs Which Disturb Neighborhood Violation, §13-249.	\$90.00
Vicious Animals Violations, §13-250.	\$90.00 & Mandatory Court Appearance

Building, Construction & Development Related Fees

Building Permit, §12-402.	Meet with Zoning Officer
Fencing Permit, §12-402.	Meet with Zoning Officer
Sign Permit, §12-924.	Meet with Zoning Officer

Road Encroachments

Short-Side Cut (to the Center of the Road)	\$750.00
Long-Side Cut (Full Width of the Road)	\$1,200.00
Non-Standard Cut	TBD by Public Works Director Based on Sq. Ft. of Cut

Subdivision Preliminary & Final Plat Check Fees (Non-Refundable)

Subdivision Ordinance 3.5.3. states:

1 to 10 Lots	\$50.00
11 to 50 Lots	\$50.00 plus \$4.00 per Additional Lot
51 to 100 Lots	\$250.00 plus \$4 per Additional Lot
More than 100 Lots	\$550.00 plus \$2 per Additional Lot

The fee shall be paid on or before the date the preliminary plat is submitted for approval by the Planning & Zoning Commission. Ord. 80-05.

Business Licensing

Excepting Beer, Itinerant Merchants/Peddlers, Pawn Brokers and Sexually-Oriented Licenses, rates shall be pro-rated when initially -issued beyond the first quarter of a calendar year. Res. 06-314.

General, §9-112. Applies Unless Other Code is Referenced	\$50.00
<i>General licenses shall be required of those businesses not otherwise listed herein. All licensing fees herein are in addition to any imposed or mandated by the State of Utah. .</i>	
Banks and Credit Unions	\$150.00
Contractors	\$50.00
Grocers/Convenience Stores/Retail Merchants	\$100.00
Home Occupations	\$35.00
Insurance Agents	No Charge
Professional Licensees Per Establishment	\$100.00
<i>Accountants, attorneys, engineers, Insurance Agents providing financial services, Medical Providers, Real Estate Brokers, Veterinarians and other similar practitioners.</i>	
Rental Properties	\$10.00 per Unit
<i>Apartments, Commercial Space, Duplexes, Hotels and Motels.</i>	
Restaurants	\$100.00

Special Licensing Provisions

Coin Operated Amusement Devices, §9-322.:

First Device	\$50.00
Each Device Thereafter	\$25.00
Proprietor’s Registration Fee, §9-323.	\$10.00
Pawn Brokers, §9-335.	\$300.00

Delta City Municipal Code §9-335 requires a \$10,000 bond made in favor of Delta City and requires one-half of the license fee upon application and shall not be refundable.

Sexually-Oriented Business, §9-614.

Delta City Municipal Code §9-615 requires a \$2,000 bond made in favor of Delta City.

Sexually-Oriented Business Employees, §9-615.

Delta City Municipal Code §9-614(b) requires that any individual applying for more than one sexually-oriented business employee license fee at the same time shall pay the higher of all applicable fees and an additional twenty dollars (\$20.00) for each additional license requested.

Itinerant Merchants/Peddlers, §9-714.:

Application Fee (§9-712.B.)	\$25.00
Day	\$50.00
Week	\$75.00
Month	\$100.00
Year	\$125.00
Solicitors, §9-723.I.	\$15.00

Beer Licenses, §9-442.:

Class “A”	\$300.00
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Class "B"	\$300.00
Class "C"	\$300.00
Single Event Permit	\$50.00

Delta City Municipal Code §9-427 requires a \$2,000 bond made in favor of Delta City in addition to any beer license issued.

Fireworks, §10-513.(1)-(3):

In-Store Sales	\$100.00
Outside (Stand) Sales	\$250.00

Special Events Determined on an Individual Basis

Irrigation Service

User Fee	\$200.00
Water Rental Fee	\$45.00 per Acre Foot

Annual payment amounts provided for herein shall become due and payable on or before the 1st day of April of each and every year thereafter until such time as said rate schedule is changed by the City Council. Current user fees, in addition to any prior outstanding delinquent fees shall be paid prior to delivery of water. Res. 09-324.

Judicial Court (all fines are recommendations, subject to discretion of the Court and Utah State Law)

Parking Violations, §11-346

1st Violation	\$20.00
Any subsequent violation	\$40.00

Criminal Violations not set out above as per Utah Uniform Bail Schedule

Small Claims Actions <http://www.utcourts.gov/howto/smallclaims>

Land Use Related Fees, §12-363.:

Annexation Petition Actual Costs

Variance Request - Board of Adjustment Meeting Request (Non-Refundable) \$60.00

Conditional Use Permit Application (Non-Refundable) \$75.00

An additional \$5.00 for each acre included within an application shall be charged at the time of application.

Planned Unit Development (Non-Refundable) \$50.00

An additional \$15.00 for each acre within an application shall be charged at the time of application.

Planning & Zoning Commission Special Meeting Request \$75.00

For a meeting at any time other than a regularly scheduled meeting.

Street Vacation (or Portion Thereof) Petition (Non-Refundable) \$75.00

The City Council may further order reimbursement for its actual and paid expenses in meeting any request for vacation of a street or portion of a street

Zoning Ordinance Amendment Application (Non-Refundable) \$100.00

An additional \$1.00 for each acre over ten acres shall be charged at the time of application.

Legal Fees and Costs

Attorney and paralegal hourly rates are billed in 1/10 hour increments, rounding up.

Delta City Attorney \$150.00 per hour

Paralegal, supervised by the Delta City Attorney \$45.00 per hour

Legal costs (photocopies, postage, filing fees, etc.) shall be the actual amount incurred by Delta City plus a 5% administrative cost

Legal fees and costs incurred by Delta City from legal counsel other than the Delta City Attorney shall be the actual amount incurred plus a 5% administrative cost.

Library Fees

Library Card

Resident No Charge

Out-of-City Limits \$5.00 per Year per Family

Temporary \$20.00, Refunded Upon Return of Library Card

Replacement of Library Card \$1.00

Overdue Fee 5¢ per Day (Sundays and Holidays Excluded)

Interlibrary Loan Overdue Fee 15¢ per Day (Sundays and Holidays Excluded)

Photocopying

8.5" x 11" letter size non-color 10¢

8.5" x 11" letter size color 50¢

8.5" x 14" legal non-color 15¢

11" x 17" tabloid size non-color 25¢

Supplies

Book Covers 35¢ each

Video Cases \$1.45 each

DVD Cases \$1.50 to \$4.80, Depending on Quantity, 1-12

Book-on-Tape Cases \$3.70 to \$6.40, Depending on Quantity, 1-12

CD Cases \$8.00 to \$10.80, Depending on Quantity, 2-16

CD Discs \$1.00 each

DVD/CD/CD-ROM Resurfacing/Repairing \$2.00 each

Book Repair \$2.00

Typewriter Usage 75¢ per Hour

Playaway Batteries \$1.00 each

Earphones\$1.00 per Pair
 Playaway Caps 50¢ each
 Postage Actual Cost
 Sale of Items Such as Old or Donated Books 25¢ each
 Lost or Damaged ItemsActual Cost Plus \$5.00 Processing Fee

Miscellaneous Fees

Candidate for Municipal Election \$25.00

Res. 05-299

City Park Parking Permit Request at City Offices

Copies of Construction Standards, Sections of Municipal Code, Etc. 25¢ per page

GRAMA Request made to Recorder’s Office

First Fifteen Minutes Research TimeNo Charge

Research Time Thereafter \$20.00 an Hour or Fraction Thereof

Non-Sufficient Funds Check Returned \$30.00

NotarizationNo Charge

Photocopying

8.5” x 11” letter size non-color 10¢

8.5” x 11” letter size color 50¢

8.5” x 14” legal non-color 15¢

8.5” x 14” legal color 60¢

11” x 17” tabloid size non-color 25¢

Postage Actual Cost

Recorder’s Certification of a Document \$5.00

Recorder’s Copying of an Official Audio Record\$5.00 per CD with Paper Sleeve

Storm Drain System Connection Fee Actual Cost

Use of City Facilities

City Council ChambersNo Charge (Non-Commercial & Non-Profit Use Only)

Library Conference RoomNo Charge (Non-Commercial & Non-Profit Use Only)

Park Bowery & Pavilions No Charge (Reserve with City Office)

Municipal Airport Hangar Rental

Aircraft Hangar Space – Common Hangar \$50.00 per Month/\$540.00 per Annum

Aircraft Hangar Space – Private Hangar	\$80.00 per Month/\$800 per Annum
Aircraft Hangar Ground Space Lease for Hangar	Negotiable with City Council
Aircraft Tie-Down Space	No Charge

Personnel Labor and Equipment Use Rates

Equipment rates herein shall be billed at a minimum of one (1) hour and thereafter in 1/4 hour increments, rounding to the next highest 1/4 hour. Equipment rates do not include the cost of an operator or labor hours and it is Delta City's policy that its equipment is only operated by Delta City employees or approved agents of Delta City. Labor rates herein shall be billed in 1/4 hour increments, rounding to the next highest 1/4 hour.

Equipment

Vacuum Truck	\$75.00 per hour
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Use of equipment owned by Delta City not specifically listed herein shall be charged at the FEMA Schedule of Equipment Rates as set out by the Department of Homeland Security Federal Emergency Management Agency and that was applicable at the time the Delta City equipment was used.

Equipment not owned by Delta City and that is leased by Delta City shall be charged at the actual cost incurred by or billed to Delta City plus 5% for administrative costs for leasing such equipment.

City Personnel Labor	\$20.00 per hour
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Sewer Enterprise User Fees, §14-216.:

Single Family Residence	\$18.00 per Month
Multiple Family Residences	\$18.00 per Dwelling per Month
Mobile Home Parks	\$18.00 per Licensed Space
Laundromats, Laundries and Dry Cleaning Establishments	\$85.00
Meat Shop or Business Establishments in Which a Meat Shop is Located	\$70.00
Cafés and Restaurants	\$80.00
Car Washes	\$80.00
Churches	\$40.00
Hospitals and Similar Facilities	\$135.00
Offices and Commercial Buildings	\$18.00 per [†] Restroom plus \$9.00 per each Additional Unit

[†] Or pair of restrooms designated for "Women" and "Men."

Hotels and Motels

First Licensed Unit	\$25.00
Each Additional Licensed Unit	\$5.00

Recreational Vehicle and Travel Trailer Parks

First Licensed Unit Occupied per Month	\$15.00
Each Additional Licensed Unit Occupied per Month	\$5.00

based on the quantity and type of effluent discharged, the biological oxygen demand load, and the times of discharge.

Public and private schools shall be required to pay an annual fee of \$3.50 for each pupil enrolled, based on average annual enrollment.

Any user of the municipal sewer system not listed above shall be required to pay a monthly charge of \$30.00 per month.

Res. 08-323.

Sewer Enterprise Connection and Capital Improvement Fees

Sewer System Connection Fee	\$800.00
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Water Enterprise User Fees, §14-117, et al.

Non-Property Owner Security Deposit for Water Service Account	\$150.00
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Security Deposit or balance of security deposit after satisfaction of final billing will be returned to the party who paid the deposit. Res. 09-329.

Property Owner Security Deposit for Water Service Account	\$150.00
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Security Deposit will be returned after twelve (12) consecutive months of timely remittance, upon request. Res. 09-329.

Non-property owners shall be required to pay a \$150.00 security deposit to be Property owners that have not established or fail to maintain a positive payment history with Delta City for a period of at least twelve (12) consecutive months prior to making application for water service shall be required to pay a \$150.00 security deposit to be paid with cash or certified funds, including debit cards and credit cards.

Security Deposit for Existing or Former Customers with Delinquent Payment Histories, §14-115.B.2.	\$150.00
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Penalty Fee Generated at Billing (for Outstanding Balances ≥ \$5.00)	\$5.00
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Priority Mail Shut-off Notice (for Accounts that Reach 15 Days in Arrears)	\$10.00
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Reconnection Fee for Accounts Shut-off by City Personnel for Non-Payment	\$40.00
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A deposit will be required for any account that has been discontinued for non-payment, if not already established. Res. 09-328.

Residential Users Inside City Boundaries

Single Family Residence for the First 4,000 Gallons	\$25.00
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4,001 to 15,000 Gallons Thereafter	\$.60 per 1,000 Gallons per Month
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15,001 to 70,000 Gallons Thereafter	\$.70 per 1,000 Gallons per Month
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70,001 Gallons or Beyond Thereafter.....	\$.80 per 1,000 Gallons per Month
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Residential Users Outside City Boundaries

Single Family Residence for the First 4,000 Gallons	\$50.00
4,001 to 15,000 Gallons Thereafter	\$1.20 per 1,000 Gallons per Month
15,001 to 70,000 Gallons Thereafter	\$1.40 per 1,000 Gallons per Month
70,001 Gallons or Beyond Thereafter.....	\$1.60 per 1,000 Gallons per Month

Commercial Users
Motels and hotels shall be charged \$25.00 per month for the first licensed unit and \$1.00 for each additional licensed unit.

Recreational vehicle and travel trailer parks shall be charged \$25.00 per month for the first licensed space and \$1.00 for each additional licensed space per the month.

Office buildings, retail establishments and all other non-residential users not otherwise listed in this fee schedule shall be required to pay \$25.00 per month per connection for the first 4,000 gallons plus an additional fee for each thousand gallons over 4,000 based on the average charge rates set forth for residential users within the city boundaries.

The rate for multiple family residential dwellings and mobile home parks shall be \$25.00 for the first licensed unit or space and an additional \$12.50 per month for each additional licensed unit or space per month.

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. The higher rates established for water delivered outside the municipal boundaries are based on the following factors: i) the increased cost associated with providing water to non-residents 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.

Hydrant Access/Meter Rental

Deposit	\$850.00
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Any user of a city hydrant who does not have a current water service shall pay a minimum of \$40.00 up to 6,000 gallons of water pumped and \$2.00 for each 1,000 gallons of water or fraction thereof over 6,000 gallons pumped from a city hydrant.

Water Enterprise Connection and Capital Improvement Fees

Water System Connection Fee	Actual Cost
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Capital Improvement Fee

Single Family Dwelling	\$400.00
Multiple Family Dwellings of Two and Three Units	\$250.00 per Unit
Multiple Family Dwellings of Four Units or More	\$192.00 per Unit
Mobile Home Spaces within an Approved Park	\$220.00 per Space
Travel Trailer and Recreational Vehicle Spaces within an Approved Park	\$160.00 per Space
Hotels and Motels	\$100.00 per Unit
Commercial and Office Space	\$100.00 per 1,000 Square Foot of Floor Space

The capital improvements fee for industrial, warehouse and agricultural uses shall be determined by the City Council based on the proposed water use.

DCMC 14 117, Res. 09 325

Water Rights Acquisition and Development Fees

There shall be assessed for each water connection made within areas annexed into the corporate limits of Delta City after April 12, 1982.

Single Family Unit – 9,999 Sq. Ft. Lot or Less – ¾ Acre Feet	\$720.00
Single Family Unit – 10,000 Sq. Ft. Lot to ½ Acre – 1 Acre Feet	\$960.00
Single Family Unit – ½ Acre to ¾ Acre Lot – 1 ¼ Acre Feet	\$1,200.00
Single Family Unit – ¾ Acre to 1 Acre Lot – 1 ½ Acre Feet	\$1,440.00
Single Family Unit – 1 Acre to 1 ½ Acre Lot – 1 ¾ Acre Feet	\$1,680.00
Single Family Unit – 1 ½ Acre to 2 Acre Lot – 2 Acre Feet	\$1,920.00
Single Family Unit – 2 Acre to 4 Acre Lot – 2 ½ Acre Feet for Each Additional Acre or Part Thereof ..	\$2,400.00
Mobile Home Unit – in Park – ½ Acre Feet	\$480.00
Multi-Family Unit with Two or More Bedrooms – ½ Acre Feet	\$480.00
Travel Trailer Unit – in Park – ¼ Acre Feet	\$240.00
Hotel or Motel Rooms, Studio or One Bedroom Apartments – ¼ Acre Feet	\$240.00
Commercial Development – Plus Additional, if Required, Based on Proposed Usage – ½ Acre Feet ...	\$480.00

An administrative fee of \$50.00 per transaction will be charged. For uses not covered above, the administrative fee shall be determined by the City Council.

The water rights acquisition and development fee for agricultural, industrial and warehouse uses shall be determined by the City Public Works Director based on the quantity of water needed to supply the anticipated use multiplied by a water rights acquisition cost of \$960.00 per acre foot of annual water right and estimated water use tables approved by the City Council after receiving recommendation of the Delta City Public Works Director.