

RESOLUTION NO. 89-186

A RESOLUTION OF THE DELTA CITY COUNCIL INCREASING THE CERTIFIED TAX RATE FROM .002818 to .003659 FOR THE PURPOSE OF LEVYING TAXES TO GENERATE REVENUE FOR A NEWLY CREATED DELTA CITY LIBRARY FUND.

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, Delta City has created and maintained a city library pursuant to Ordinance No. 83-67; and

WHEREAS, the City Council now recognizes the need to create a fund, to be known as the "Delta City Library Fund," which fund shall consist of revenues generated by an annual tax, for the purpose of maintaining its public library; and

WHEREAS, pursuant to § 37-2-1, Utah Code Annotated (1953), as amended, the City Council recognizes the need to levy an annual tax not to exceed .001 of taxable value of taxable property within the city, for the purpose of generating sufficient revenue to maintain said public library. Accordingly, the City Council has levied a tax of .000747 to be set aside for said Delta City Library Fund.

WHEREAS, in accordance with § 52-9-919, Utah Code Annotated (1953), as amended, Delta City advertised its intent to exceed the certified tax rate, by publishing notice thereof in a newspaper known as the Millard County Chronicle-Progress, a weekly newspaper published in the County of Millard, State of Utah, for the time and in the manner provided by law; and

WHEREAS, pursuant to Title 52, Chapter 4, Utah Code Annotated, known as the "Open and Public Meetings Act", Delta City provided public notice of the agenda, time and place of this meeting, by posting written notice thereof at the principal office of the public body; namely, the Delta City Building located at 76 North 200 West, Delta, Utah and in at least one newspaper of general circulation, namely the Millard County Chronicle-Progress, and to a local media correspondent, namely KNAX Radio Station, 73 South Center, Delta, Utah; and

WHEREAS, said meeting was open to the public and all interested parties desiring to be heard were given an opportunity to present oral testimony. Any public comments regarding the proposed property tax increase were received by the Delta City Council members and Council members gave their explanations and reasons for the proposed tax increase; and

WHEREAS, the County Auditor of Millard County, Utah, gave notice, by mail, to all affected owners of real estate, as

that term is defined under Title 59, Utah Code Annotated (1953), as amended, for the time and in the manner provided by law; and

WHEREAS, the City Council believes it to be in the best interest of the citizens of Delta City to raise property taxes in order to establish a library fund to provide those municipal services; namely a public library, now existing and deemed essential to the general welfare of the community and its citizens.

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

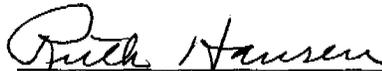
1. Increase of Certified Tax Rate. The total certified tax rate shall be increased from .002818 to .003659 for the purpose of levying taxes to generate revenue for a newly created Delta City Library Fund, in order to maintain its public library now existing, which public library is deemed essential for the general welfare of the community and its citizens.

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

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.

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 APPROVED this 14 day of August, 1989.


RUTH HANSEN, Mayor

Attest:


DOROTHY JEFFERY
City Recorder