

City of Delta
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Delta UT 84624-9440
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Certificate of Resolution Passage

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

I, GREGORY J. SCHAFER, as the duly appointed, sworn and acting Delta City Recorder, do hereby certify that the attached, numbered as City of Delta Resolution Number 04-292 was duly adopted by the necessary quorum of the Delta City Council on July 15, 2004.

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





GREGORY J. SCHAFER, CMC
Delta City Recorder

RESOLUTION NO.04-292

A RESOLUTION REVISING THE WATER OVERAGE RATES FOR USE OF THE DELTA CITY WATER 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 City Council, in compliance with State law, desires to encourage persons to conserve water through limiting or reducing its use in terms of *per capita* consumption so that adequate supplies of water are available for future needs.

B. The City Council has determined that increasing the water overage rates will serve the purpose of encouraging such water conservation.

C. 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.

D. 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 water overage rates to encourage water conservation and to provide for more equitable allocation of such costs among users.

E. Section 14-117 of the Revised Ordinances of Delta City (1981 edition), as amended, provides that the City Council may establish and change water 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 overage 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 \$15.00 per month for the first 6,000 gallons, with a charge of \$0.60 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 \$29.50 per month for the first 6,000 gallons, with an additional charge of \$1.20 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 \$15.00 for the first licensed unit and \$0.90 for each additional licensed unit for the first 6,000 gallons and an additional \$0.60 for each 1,000 gallons or fraction thereof registered through the meter.

ii. Recreational vehicle and travel trailer parks shall be charged \$15.00 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 \$0.60 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 \$15.00 per month per connection for the first 6,000 gallons plus an additional \$0.60 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 \$14.40 for each occupied unit or space and an additional \$0.60 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.

3. Effective Date. This resolution shall become effective on August 1, 2004.

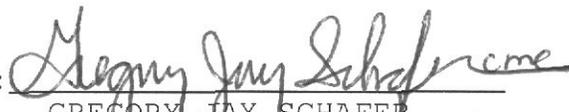
4. Severability. In the event that any provision of this resolution less than the entire resolution is held invalid by a court of competent jurisdiction, this resolution shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this resolution.

5. 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 15th day of July, 2004.



GAYLE BUNKER, Mayor

Attest: 

GREGORY JAY SCHAFER
City Recorder

7/15/04.3.5/dc.res.rateinc 2004 water

