

City of Delta
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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 04-293 was duly adopted by the necessary quorum of the Delta City Council on September 2, 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. 04-293

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION 96-239 ENTITLED "WATER SYSTEM FEES" BY ESTABLISHING A NEW INSTALLATION COST SCHEDULE AND BY MAKING TECHNICAL CORRECTIONS.

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, an installation cost schedule for connection to the Delta City water distribution system, a capital improvements fee, and a water rights development fee. Section 2 of Resolution 84-110 was amended by Resolution 96-239 adopted by the City Council on February 26, 1996, which, among other things, increased the costs of installation, water rights acquisition and development fees.

B. Delta City is now experiencing significant increases in material and installation costs for the Delta City water distribution system. The City Council has determined that the costs of materials, installation costs, and connection costs exceed those rates heretofore established by the City Council in Resolution 96-239. Accordingly, the City Council has determined that certain adjustments should be made to the water system user fees to promote for equitable allocation of such costs among the users.

C. 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.

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

Section 1. Resolution Amended. Section 1 of Resolution 96-239 adopted February 26, 1996, is hereby amended to read, in its entirety, as follows:

"2. Water System Fees. The fees for connection to the Delta City water distribution system as established by Section 14-117 of the Revised Ordinances of Delta City (1981 edition) are hereby fixed for the classes of service set out below to be the total amount determined by the following schedules:

a. Installation Cost Schedule. A collection installation cost shall be paid for each connection to the Delta City culinary water system as follows:

Diameter of Meter Connection Installation Fee

3/4 inch	\$ 400.00
1 inch	500.00
1-1/2 inch	1,400.00
2 inch	1,600.00

Connections having a meter size of 2" or larger shall be negotiated with Delta City based on the proposed quantity of use, type of use, number of units to be served by the connection and other factors considered relevant by the City Council after receiving recommendation from the Delta City Public Works Director.

b. Capital Improvements Fee. In addition to the installation fee, there shall be paid as part of each water connection fee a capital improvements fee based on the proposed use of the facility at which water connection is requested to offset the capital cost of providing and maintaining water service to applicant. The capital improvements fee charged for each connection shall be based on the following schedule:

<u>Proposed Use</u>	<u>Capital Improvement Fee</u>
Single family dwellings	\$ 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 vehicles spaces within an approved park	160.00 per space
Hotels and motels	100.00 per unit
Commercial and office space	100.00 per 1000 sq. ft. 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.

c. Water Rights Acquisition and Development Fee. There shall be assessed for each water connection made within areas annexed into the corporate limits of Delta City after April 12, 1982, in addition to the fees set forth in subparagraphs a. and b. above, a water rights acquisition and development fee to be used for the acquisition of additional water rights to supply the use at the requested connection as determined by the following schedule:

<u>Proposed</u>	<u>Acre Ft.</u>
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<u>Use</u>	<u>Required</u>	<u>Water Rights Fee</u>
Single family Unit - 9,999 sq. ft. lot or less	3/4 AF	\$720.00
Single Family Unit - 10,000 sq. ft. lot to 1/2 acre	1 AF	960.00
Single Family Unit - 1/2 acre to 3/4 acre lot	1-1/4 AF	1,200.00
Single Family Unit - 3/4 acre to 1 acre lot	1-1/2 AF	1,440.00
Single Family Unit - 1 acre to 1-1/2 acre lot	1-3/4 AF	1,680.00
Single Family Unit - 1-1/2 acre to 2 acre lot	2 AF	1,920.00
Single Family Unit - 2 acre to 5 acre lot	2-1/2 AF for each additional acre or part thereof	2,400.00
Mobile Home Unit - in Park	1/2 AF	480.00
Multi-Family Unit with Two or More Bedrooms	1/2 AF	480.00
Travel Trailer Unit - in Park	1/4 AF	240.00
Hotel or Motel Rooms, Studio or One Bedroom Apartments	1/4 AF	240.00
Commercial Development -- Plus additional, if required, based on proposed usage	1/2 AF	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 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 from the Delta City Public Works Director.

d. The total connection fee for uses not set out in the foregoing subparagraphs a. through c. shall be determined by the City Council after receiving the recommendation of the Delta City Public Works Director.

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

Section 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.

Section 4. 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 2 day of September, 2004.



GAYLE BUNKER, Mayor

Attest: 

GREGORY JAY SCHAFFER
City Recorder

8/27/04.3.5/dc wateramd 04.res

