

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

Certificate of Resolution Passage

STATE OF UTAH)
)
CITY OF DELTA) ss.

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 09-325 was duly adopted by the necessary quorum of the Delta City Council on May 7, 2009.

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



GREGORY JAY SCHAFER, MMC
Delta City Recorder

RESOLUTION NO. 09-325

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION 04-239 ENTITLED "WATER SYSTEM FEES" BY ESTABLISHING A CHANGE IN THE NEW INSTALLATION COSTS CHARGED.

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. 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 fees. On or about September 2, 2004, the City Council adopted Resolution 04-293 which amended Section 1 of Resolution 96-239 establishing, among other things, an installation cost schedule for connection to the Delta City water distribution system.

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 connection to said water distribution system exceed those rates heretofore established in Resolution 04-239. Accordingly, the City Council has determined that an adjustment should be made to the water system connection fees to provide that the fee for connection to the Delta City water distribution system will equal the actual cost paid by Delta City for installation of a new connection.

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 04-293 adopted September 2, 2004, 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. A collection installation cost shall be paid for each connection to the Delta City culinary water system equal to the actual cost paid by Delta City for the parts necessary for installation.

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 Use</u>	<u>Acre Ft. 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 addi- tional 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.

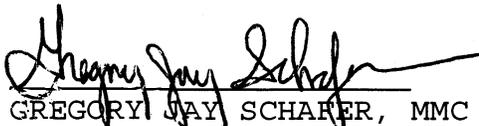
Section 3. Severability. In the event that any provision of this resolution less than the entire resolution is held invalid by a court of competent jurisdiction, this resolution shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this resolution.

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 7th day of May, 2009.



GAYLE BUNKER, Mayor

Attest: 
GREGORY JAY SCHAEFER, MMC
City Recorder

5/7/09.3.5/dc wateramd 09.res