

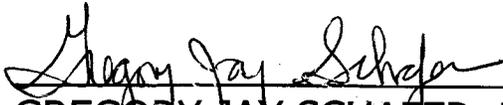
Delta City Corporation
76 N 200 W
Delta UT 84624-9440
435 864 2759
435 864 4313 FAX

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 09-328 was duly adopted by the necessary quorum of the Delta City Council on December 3, 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. 09-328

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION 03-283 ENTITLED
"LATE CHARGES" BY ESTABLISHING A NEW LATE CHARGE AND SHUT-OFF
NOTICE CHARGE ON DELINQUENT AND/OR DISCONNECTED WATER
SERVICE.

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, a procedure for imposing late charges in connection with water and sewer billing delinquencies and for disconnecting water and sewer services on delinquent accounts and imposing a fee for reconnecting said services. Section 10 of Resolution 84-110 was amended by Resolution 03-283, adopted by the City Council on June 5, 2003, which increased the late charge and reconnection fee.

B. The City Council has determined that the costs associated with providing or sending notices on delinquent accounts currently exceeds the late charge and reconnection fee and that the late charge should be revised and a shut-off notice charge established to reflect more accurately the current expenditures and costs associated therewith and to promote for equitable allocation of such costs among the users.

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

Section 1: Resolution Amended. Section 1 of Resolution 03-283 adopted June 5, 2003, is hereby amended to read, in its entirety, as follows:

"1. Late Charges. A late charge of \$5.00 shall be charged to each water billing or sewer billing not paid by the due date shown on the billing statement. If the amount due on such water or sewer statement is not paid on or before the due date shown on said billing statement, the City of Delta may send a shut-off notice and a charge of \$10.00 for such notice shall be added to the billing statement. Additionally, upon proper notice, the City of Delta may disconnect the water service and charge a reconnection fee of \$40.00 prior to renewing service to the user responsible for payment of the delinquent account."

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

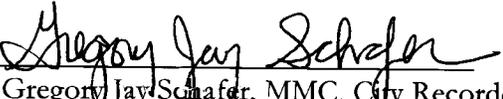
entire resolution is held invalid by a court of competent jurisdiction, this resolution shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this resolution.

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 3rd day of December, 2009.



GAYLE BUNKER, Mayor

Attest: 

Gregory Jay Schaefer, MMC, City Recorder