

**SALT LAKE COUNTY
SERVICE AREA NO. 3**

#2009-2

Rate and Development Policy Resolution no. 13

**Proposed 1-20-09
Adopted March 17, 2009
Effective July 1, 2009**

**A RESOLUTION OF SALT LAKE COUNTY
SERVICE AREA NO. 3 - SNOWBIRD (THE
SERVICE AREA), AMENDING RATE
RESOLUTION NO. 12 ADOPTED ON April 17,
2007, BY CHANGING THE RATES OF WATER AND SEWER
SERVICE CHARGES AND THE EFFECTIVE
DATES THEREOF.**

BE IT KNOWN AND REMEMBERED:

THAT, WHEREAS, the Service Area has constructed sewer lines and facilities and has obtained culinary water contracts or rights and facilities (the Facilities) for the use and benefit of the residents of the Service Area, and

WHEREAS, the Board of Trustees (the Board) adopted Rate Resolution No. 12 on April 17, 2007, amending and/or establishing and imposing monthly service charges for the delivery of water and sewer services to the users thereof, and

WHEREAS, the Board has determined it to be necessary and in the interest of efficient operations of the Service Area, and upon public notice and hearing thereon, that the service charges heretofore established and imposed be changed as hereinafter set forth, and,

WHEREAS, the Board is empowered under Title 17A-2-412, Utah Code Annotated, 1953, as amended, (The County Service Area Act) to impose and collect fees and charges for all purposes of the Service Area,

NOW, THEREFORE, the Board of Trustees of Salt Lake County Service Area No. 3 - Snowbird, RESOLVES as follows:

Sec. 1. Section 1. of Rate Resolution No. 12 adopted April 17, 2007, is hereby amended to read as follows:

(1) There is hereby imposed for collection from the following specified categories of users of the Facilities monthly service charges at the monthly rates set forth below:

Percent increase from rate resolution #12		15%	8%	10%
Category		-----Monthly Rate-----		
		Sewer	Water	Total
(a)	Lodges, Hotels, employee Housing, Guest- houses and akin			
	1. Bedroom occupant (see definitions)	3.68	4.38	8.06
	2. Kitchen occupant (see definitions)	1.60	1.89	3.49
	TOTAL	5.28	6.27	11.55
(b)	Restaurants, cafes, lounges and akin (per seat)	1.60	1.89	3.49
(c)	Specialty Shops and akin (per shop)	31.57	37.70	69.27
(d)	Ski Lifts and trams (per lift or tram)	137.24	129.59	266.83
(e)	Commercial offices or businesses and akin (per business)	31.57	37.70	69.27
(f)	Parks and Recreation areas (per water closet or urinal)	27.45	-	27.45
(g)	Residential Single Family Dwellings and akin (per Residence Meter):			
	-Flat Rate Minimum Charge for the first 8000 Gallons or less:	31.57	37.70	69.27
	-Overage Charge for each 1000 Gallons over 8000 gallons up to 12,000 gallons:	-NA-	2.20	2.20
	for each 1000 Gallons over 12,000 gallons up to 18,000 gallons:	-NA-	3.30	3.30
	for each 1000 Gallons over 18,000 Gallons:	-NA-	4.40	4.40

<u>Category (cont.-)</u>	-----Monthly Rate-----		
	Sewer	Water	Total
(h) Large Residential Single Family Dwellings and akin (With 10 Occupants or more) (per Residence Meter):			
-Flat Rate Minimum Charge for the first 8000 Gallons or Less:			
1. Bedroom occupant	3.68	4.38	8.06
2. Kitchen occupant	1.60	1.89	3.49
TOTAL	5.28	6.27	11.55
-Overage Charge for each 1000 Gallons over 8000 gallons up to 12,000 gallons:	-NA-	2.20	2.20
for each 1000 Gallons over 12,000 gallons up to 18,000 gallons:	-NA-	3.30	3.30
for each 1000 Gallons over 18,000 Gallons:	-NA-	4.40	4.40
(i) Miscellaneous Metered Water Rates (per Meter):			
1. CULINARY WATER:			
-Flat Rate Minimum Charge for the First 8000 Gallons or less based on meter size:			
3/4" x 1" or less	- NA -	38.88	38.88
1-1/2"	- NA -	113.10	113.10
2"	- NA -	166.10	166.10
2-1/2" (Hydrant or Construction mtr.)	- NA -	486.54	486.54
3"	- NA -	337.06	337.06
4"	- NA -	559.58	559.58
6"	- NA -	1112.62	1112.62
8"	- NA -	1661.29	1661.29
10"	- NA -	2367.04	2367.04
-Overage Charge for each 1000 Gallons over 8000 gallons up to 12,000 gallons:	-NA-	2.20	2.20
for each 1000 Gallons over 12,000 gallons up to 18,000 gallons:	-NA-	3.30	3.30
for each 1000 Gallons over 18,000 Gallons:	-NA-	4.40	4.40

2. SNOWMAKING WATER:

-Rate per 1000 gallons used
per each meter, and billed monthly or seasonally:

- Stream Water	0.24	0.24
- Untreated water from Wasatch Drain Tunnel:	0.24	0.24
- Untreated water from Hellgate Reservoir:	0.39	0.39
- Treated water from the Superior Zone:	0.65	0.65
- Treated water from the Peruvian Zone:	0.98	0.98

(j) Extra-territorial Rate:

The foregoing rates shall also apply to all of the foregoing categories of users that are located outside of the boundaries of the Service Area and to that rate will be added a surcharge equal to 16% of the rate amount.

(k) Definitions:

Bedroom occupant - Maximum sleeping facilities times one guest night. i.e. One bedroom with two double beds equals four bedroom occupants.

Kitchen occupant - Bedroom occupants with access to a kitchen facility. i.e. One studio with one double bed equals two bedroom occupants. Studio has a kitchen, thus two bedroom occupants times one kitchen equals two kitchen occupants.

(l) Discount Rate:

Any of the foregoing flat type base rates that do not normally bill on a usage basis may be paid for on an annual basis, up front and receive a 5% reduction in the overall rate. The total fee as calculated by the Service Area must be prepaid for the following year. The customer may still be subject to adjustments or re-billings throughout the year if the rates change or an overage or usage billing becomes necessary.

Sec. 2. The following policies and regulations shall govern all new water and sewer connections to Salt Lake County Service Area #3's system(s):

- (a) All new development or construction projects that require water and/or sewer services from Salt Lake County Service Area #3 impose at least two types of primary impacts on those systems and the services supplied by the Service Area. They are namely (i), an impact on the existing system(s) capacity, which system(s) have been built by and financed in some portion by existing customers or users, and (ii), an impact which requires an enlargement and/or extension beyond the current system(s) to exclusively serve the development. In other words, one impact is on existing infrastructure and the other is a need for future infrastructure.
- (b) All water and/or sewer system impacts on existing infrastructure, caused or created by new construction or development for all categories of users in section 1 shall be financed, paid for and/or constructed entirely by the owner(s) of the proposed development. Water impacts may include all or any portion of the costs of upgrading and improving the Service Area's general water supply, treatment, pumping, storage and distribution system. Sewer impacts may include all or any portion of the costs of upgrading the Service Area's general wastewater collection, storage, pumping, pre-treatment and transportation system capacity. These impacts are to be determined by an impact analysis as described later.
- (c) All new customers (or developers) applying for services from Salt Lake County Service Area No. 3, for all categories of users in section 1, shall also provide the financing and construction for all facilities that are of exclusive benefit to the customer (or developer). These facilities may include, but are not limited to, in-tract distribution equipment, off-site main extensions sized to serve the customer's demand, special purpose treatment, storage or boosting facilities, metering equipment, sewer and/or water main and lateral extensions, wastewater pre-treatment equipment and new sewer collection system and related manhole construction. The impact analysis or other engineering studies or requirements will determine the design, extent and need for these facilities.
- (d) To establish what the forgoing impacts or system designs may be, an impact analysis and engineering study must be performed by a qualified engineering firm, selected by the Service Area and paid for entirely by the developer or new customer. This relationship may be established on a contractual, prepaid fee basis with the Service Area and developer. This impact analysis includes any engineering studies deemed necessary by the Service Area to arrive at a fair and equitable determination of the true impacts of the development on the Service Area's systems or infrastructure. Utah State regulations and criteria, as defined in the Utah Code, for creation of the impact fee analysis and related capital improvement plans must be followed where applicable. Each analysis and study may be totally unique to a particular development applying for water and/or sewer service. These studies should ascertain the true impact of the project and protect the investment of existing users who have already paid for all or some portion of existing water and/or sewer improvements.
- (e) All facilities shall be designed to meet all Service Area Engineering and Construction Specifications and Standards as determined by Service Area management and the Board of Trustees. The Service Area will make inspections during and after construction of the improvements. All engineering studies,

design work, related construction management, testing, and inspection costs associated with the particular project will be paid for entirely by the developer(s) of the particular project that necessitates said improvements and that imposes the related impact(s). Upon completion and the Service Area's acceptance of the system improvements, all facilities, whether of exclusive benefit to the customer or not, shall be donated to and shall be deemed the property of the Service Area, without the possibility of refund.

- (f) The Service Area will maintain, service and operate any new or upgraded facilities, up to the water lateral on water systems, and up to the sewer lateral on sewer mains.
- (g) The Service Area may, in its discretion and after internal evaluations, exempt from the impact and system analysis those new projects which the Service Area determines have been accounted for in water and/or sewer system capacity through prior contributions of capital or infrastructure, provided that a significant increase in capacity is not required by those new projects.
- (h) The Service Area Board of Trustees may make a determination of the applicability and implementation of this section on a particular development or project, where a question of application may arise.

Sec. 3. The service charges established and imposed in Section 1 hereof shall take effect on July 1, 2009. The service charges shall be due and collected by the Service Area on that day and each month thereafter on a continuing basis until repealed or changed by a subsequent action of the Board. Any outstanding Impact Fees on projects started prior to or as of this effective date shall remain due and payable, even after the effective date of this resolution.

Sec. 4. All sections and provisions of any or all previous Rate Resolutions (Nos. 1, 2, 3, 4, 5, 6, 7,8,9,10,11 and 12) not amended, changed, or affected hereby shall remain the same and be in full force and effect.

Sec. 5. This Rate Resolution No. 13 shall take effect **July 1st, 2009** upon its approval and adoption by the Board and without the publication or posting thereof.

THIS RESOLUTION IS APPROVED AND ADOPTED THIS 17th day of March, 2009.

SALT LAKE COUNTY
SERVICE AREA NO. 3

By _____
ANNAMARIE BORGIONE
Chair
Board of Trustees

ATTEST;

By _____
Monica L. Lisenbee
Clerk of the Service Area No. 3

Trustee Borgione voted _____

Trustee Collinson voted _____

Trustee Jensen voted _____