

RESOLUTION NO. R 15-2003

A RESOLUTION AUTHORIZING AND DIRECTING ADVERTISEMENT OF
A NEW LOCAL CHARGE ON THE GROSS REVENUES OF A PUBLIC UTILITY
PROVIDING TELEPHONE SERVICES AND ELECTRICAL SERVICES
IN EAGLE MOUNTAIN CITY, UTAH

WHEREAS, the Eagle Mountain City Council ("*Council*") met in regular session on September 16, 2003 to consider, among other things, authorizing and directing advertisement of a new local charge on the gross revenues of a public utility providing telephone and electrical services; and

WHEREAS, UTAH CODE ANN. § 10-1-203(4) provides that subject to the provisions of Title 11, Chapter 26, Local Taxation of Utilities Limitations, a municipality may impose upon or charge, or collect from a public utility engaged in the business of supplying telephone and electrical services, a tax, license, fee, license fee, license tax or similar charge based upon the gross revenues of the utility derived from sales or use of telephone and electrical services within the municipality; and

WHEREAS, Title 11, Chapter 26 (specifically UTAH CODE ANN. § 11-26-3) requires that before a municipality imposes a new local charge on the gross revenues of a public utility providing telephone and electrical services, that the municipality advertise its intent to do so and hold a public hearing on the proposed ordinance; and

WHEREAS, UTAH CODE ANN. § 11-26-3(2) provides that the advertisement meet the same size, type, placement and frequency requirements as provided for notice of property tax certified tax rate increases in UTAH CODE ANN. § 59-2-919; and

WHEREAS, the Council intends to impose such new local charge; and

WHEREAS, the Council intends that the City comply with the advertisement and public hearing requirements of UTAH CODE ANN. § 59-2-919.

NOW THEREFORE, IT IS HEREBY RESOLVED that:

1. Janet B. Valentine or her designee is hereby authorized and directed to cause an advertisement regarding a new local charge be published pursuant to the requirements of UTAH CODE ANN. § 59-2-919. A copy of the proposed advertisement is attached hereto.
2. A public hearing for the purpose of hearing comments regarding the proposed new local charge shall be held on October 21, 2003 at 7:00 p.m. at the Eagle Mountain City Council Chambers, 1680 East Heritage Drive, Eagle Mountain, Utah.

PASSED AND ADOPTED this 16 day of September, 2003.

EAGLE MOUNTAIN CITY, UTAH

By: *Felicia E. Barclay*
Mayor

ATTEST:

Janet B. Valentine, cmc
City Recorder

