

## **TOQUERVILLE CITY**

### **RESOLUTION 2026.XX**

#### **A RESOLUTION ELIMINATING THE SEASONAL EXPANDED CULINARY WATER BASE RATE FOR USERS WITHOUT SECONDARY IRRIGATION SERVICE**

#### **PREAMBLE**

WHEREAS, a 1997 Agreement by Toquerville City and the Washington County Water Conservancy District created the Toquerville Secondary Water System (TSWS); and

WHEREAS, Toquerville City establishes culinary water rates for the purpose of recovering the actual costs of providing, operating, maintaining, and replacing the City's culinary water system, consistent with applicable agreements, ordinances, and sound utility rate-setting principles; and

WHEREAS, Resolutions 2021.05 and 2024.18 created a seasonal rate structure that allows certain culinary water users without access to secondary irrigation water to receive an increased base allotment of culinary water during the irrigation season upon payment of an annual irrigation fee equivalent to that charged by the Toquerville Secondary Water System; and

WHEREAS, providing additional culinary water usage at a reduced effective rate during the irrigation season does not accurately reflect the cost of providing culinary water service and undermines the integrity of the City's cost-of-service-based rate structure; and

WHEREAS, culinary water is a higher-cost and more limited resource than secondary irrigation water and should not be priced or allocated in a manner intended to substitute for secondary irrigation service; and

WHEREAS, ambiguity and inconsistency have been identified between the administration of the policy as an optional, opt-in practice and the language of Resolution 2024.18, which was drafted as a mandatory requirement, creating potential enforcement, equity, and legal concerns; and

WHEREAS, the uniform application of culinary water rates to all users, regardless of access to secondary irrigation water, promotes fairness, transparency, and responsible management of the City's water resources; and

WHEREAS, the City Council desires to eliminate the seasonal expanded base allotment and associated irrigation fee for culinary water users without secondary water service and to require all culinary water users to be billed under the standard culinary water rate structure year-round;

#### **RESOLUTION**

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

The seasonal culinary water rate adjustment applicable during the months of March through October for non-irrigation users without access to secondary irrigation service, including the expanded base allotment of culinary water and the associated annual irrigation fee, is hereby eliminated.

All users of the Toquerville City Culinary Water System shall be subject to the standard culinary water rate structure, as amended, throughout the entire calendar year, without exception based on access to secondary irrigation water.

Participation in the eliminated rate structure did not create a vested right, and no user shall be entitled to continuation of the former seasonal rate adjustment beyond the effective date of this Resolution.

This Resolution shall take effect upon passage and shall apply to all billing periods beginning on after that date.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2026.

Council Person:

Wayne Olsen	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Todd Sands	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Joey Campbell	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Valerie Preslar	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Jenny Chamberlain	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

TOQUERVILLE CITY  
a Utah Municipal Corporation

Attest:

\_\_\_\_\_  
Dan Catlin, Mayor

\_\_\_\_\_  
Emily Teaters, City Recorder