

TOWN OF APPLE VALLEY, UTAH

RESOLUTION R-2026-28

A RESOLUTION AMENDING THE TOWN OF APPLE VALLEY FEE SCHEDULE TO ADOPT EMERGENCY WATER RATES FOR STAGE 3 - WATER CRISIS AND STAGE 4 - WATER EMERGENCY, AND ADOPTING THE COMPLETE AMENDED FEE SCHEDULE AS EXHIBIT A

WHEREAS, the Town Council adopted the Town of Apple Valley Fee Schedule on June 17, 2026, which includes the Town's residential water rates under Appendix A, Section 01.20.010; and

WHEREAS, the Town previously adopted the Town of Apple Valley Water Conservation Plan by Resolution R-2025-28 and has considered amended water conservation stages for periods of reduced water supply, system failure, drought, or other emergency conditions; and

WHEREAS, the Town Council finds that temporary emergency tiered water rates may be necessary during a declared Stage 3 - Water Crisis or Stage 4 - Water Emergency to discourage excessive consumption, promote conservation, and protect the reliability of the municipal water system; and

WHEREAS, the emergency rates are intended to apply only while the applicable water conservation stage is in effect and only after the Mayor issues a written declaration activating the applicable emergency rate schedule; and

WHEREAS, the Town Council desires that the specific amendments be stated directly in this Resolution and that the complete amended Fee Schedule also be attached as Exhibit A and incorporated herein by reference; and

WHEREAS, the Town Council has reviewed the proposed emergency water rates and the complete amended Fee Schedule and finds their adoption to be in the best interest of the Town and its water customers.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apple Valley, Utah, as follows:

1. Adoption of Complete Amended Fee Schedule. The Town Council hereby adopts the complete amended Town of Apple Valley Fee Schedule dated August 19, 2026, attached hereto as Exhibit A and incorporated herein by this reference. Exhibit A shall constitute the official Fee Schedule of the Town upon adoption of this Resolution. All fees and charges not specifically amended by this Resolution remain unchanged and in full force and effect.

2. Amendment to Appendix A, Section 01.20.010. Appendix A, Section 01.20.010, Residential, is amended by adding the following Emergency Residential Water Rates immediately after the regular residential usage-rate table:

Emergency Residential Water Rates The following emergency residential water rates apply only while the corresponding water conservation stage has been activated by written declaration of the Mayor pursuant to the Town of Apple Valley Water Conservation Plan. The residential base fee and standby fee remain \$75.00 per month. Upon termination of the declaration, the regular residential water rates shall resume.

Stage 3 - Water Crisis

Gallons Used	Charge per 1,000 Gallons
Base Fee / Standby	\$75.00
0-5,000 gallons	\$1.50
5,001-12,000 gallons	\$1.50

Gallons Used	Charge per 1,000 Gallons
12,001-25,000 gallons	\$2.50
25,001-35,000 gallons	\$3.00
35,001-45,000 gallons	\$3.50
45,001-55,000 gallons	\$4.50
55,001-75,000 gallons	\$6.00
75,001-100,000 gallons	\$7.00
Over 100,000 gallons	\$9.00

Stage 4 - Water Emergency

Gallons Used	Charge per 1,000 Gallons
Base Fee / Standby	\$75.00
0-5,000 gallons	\$1.50
5,001-12,000 gallons	\$2.50
12,001-25,000 gallons	\$3.50
25,001-35,000 gallons	\$4.00
35,001-45,000 gallons	\$4.50
45,001-55,000 gallons	\$5.50
55,001-75,000 gallons	\$8.00
75,001-100,000 gallons	\$9.00
Over 100,000 gallons	\$11.00

3. Activation by Written Declaration. The Mayor may activate or terminate a Stage 3 or Stage 4 emergency water rate schedule by written declaration identifying the applicable stage and effective date. The declaration shall be based on water supply, production capacity, storage levels, drought, equipment failure, system reliability, public health and safety, or other conditions affecting the municipal water system.

4. Notice and Billing. The Town shall provide reasonable notice to affected customers before or as soon as practicable after an emergency rate schedule is activated. Emergency rates shall apply only during the period identified in the Mayor's written declaration and shall be administered based on the Town's meter-reading and billing cycles.

5. Duration and Reversion to Regular Rates. Emergency water rates shall remain in effect only while the written declaration activating the applicable schedule remains in effect. Upon termination or reduction of the declared conservation stage, the applicable water rates shall automatically revert to the standard residential rates contained in the Fee Schedule or to the rates applicable to the newly declared stage.

6. Administration. Town staff are authorized to update the utility billing system, customer notices, posted Fee Schedule, and administrative procedures necessary to implement this Resolution.

7. Superseding Effect. The amended Fee Schedule attached as Exhibit A supersedes the Fee Schedule adopted June 17, 2026. Any prior resolution, schedule, policy, or provision in conflict with this Resolution or Exhibit A is superseded only to the extent of the conflict.

8. Severability. If any provision of this Resolution or Exhibit A is held invalid, the remaining provisions shall continue in full force and effect.

9. Effective Date. This Resolution and the amended Fee Schedule attached as Exhibit A shall take effect immediately upon adoption.

PASSED, APPROVED, AND ADOPTED this 19th day of August 2026.

TOWN OF APPLE VALLEY

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Recorder

Council Member	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____
Council Member Richard Palmer	_____	_____	_____	_____

EXHIBIT A
TOWN OF APPLE VALLEY FEE SCHEDULE

Adopted June 17, 2026; Amended August 19, 2026

The complete amended Fee Schedule follows this exhibit cover page and is incorporated into Resolution R-2026-28.