

Title 13 Public Services

Chapters: 13.04 - Sewer Systems	13 - 1
13.04.010 Supervision.....	13 - 1
13.04.020 Rates and Inspection Fees.....	13 - 1
13.04.030 Connection to Sewer System.....	13 - 1
13.04.040 Pipe Laying-Repairs.....	13 - 2
13.04.050 Permit-Required.....	13 - 2
13.04.060 Permit-Application-Fees.....	13 - 2
13.04.070 Permit-Revocation.....	13 - 3
13.04.080 Permit-Denial.....	13 - 3
13.04.090 Completion of work.....	13 - 3
13.04.100 Buildings-Separate Connection-Exceptions.....	13 - 3
13.04.110 Fixtures.....	13 - 4
13.04.120 Use Without Payment Prohibited.....	13 - 4
13.04.130 Service Charges-Connection Fees.....	13 - 4
13.04.140 Installation Inspection.....	13 - 4
13.04.150 Sewer Manhole.....	13 - 5
13.04.160 New Construction.....	13 - 5
13.04.170 Policy Declaration.....	13 - 5
13.04.180 Violation.....	13 - 5
Chapter 13.08 - Storm Water Utility.....	13 - 6
13.08.010 Findings.....	13 - 6
13.08.020 Purpose.....	13 - 7
13.08.030 Definitions.....	13 - 7
13.08.040 Storm Water Utility.....	13 - 10
13.08.050 Storm Water Utility Fee.....	13 - 11
13.08.060 Billing.....	13 - 11
Chapter 13.09 - Storm Drainage	13 - 13
13.09.010 Prohibited Obstructions.....	13 - 13
13.09.020 Prohibited Discharges.....	13 - 13
13.09.030 Prohibited Storage and Littering.....	13 - 13
13.09.040 Best Management Practices.....	13 - 13
13.09.050 Easements.....	13 - 14
13.09.060 Authority to Inspect.....	13 - 14
13.09.070 Requirement to Monitor and Analyze.....	13 - 15
13.09.080 Enforcement Procedures.....	13 - 15
13.09.090 Damage to Storm Water System.....	13 - 18
13.09.100 Manhole Covers.....	13 - 18
13.09.110 Compliance with Federal and State Law.....	13 - 18

Chapter 13.10 - Storm Water Permits 13 - 19

- 13.10.010 Purpose and Intent 13 - 19
- 13.10.020 Storm Water construction Activity Permit - When Required 13 - 19
- 13.10.030 Storm Water Construction Activity Permit - Application 13 - 19
- 13.10.040 Storm Water Pollution Prevention Plan..... 13 - 21
- 13.10.050 Proper Operation and Maintenance 13 - 23
- 13.10.060 Inspection and Entry 13 - 24
- 13.10.070 Revocation or Suspension of Strom Water Construction Activity Permit 13 - 24
- 13.10.080 Storm Water Connection Permit 13 - 25
- 13.10.090 Violations and Enforcement 13 - 27
- 13.10.100 Exemptions 13 - 27
- 13.10.110 Compliance with Federal and State Law..... 13 - 27

Chapter 13.12 - Culinary Water 13 - 29

- 13.12.010 Regulations and Specifications. 13 - 29
- 13.12.020 Drilling of New Water Wells. 13 - 29
- 13.12.030 Establishment of the Pleasant View City Water Department. 13 - 29
- 13.12.040 Water Department and System 13 - 30
- 13.12.050 Superintendent. 13 - 30
- 13.12.060 Application for Water Connection. 13 - 30
- 13.12.070 Application for Water Connection by Subdivider. 13 - 30
- 13.12.080 Application for Water Service. 13 - 30
- 13.12.090 Non-Owner Applicants Agreement of Owner. 13 - 30
- 13.12.100 Rates and Connection Fee. 13 - 30
- 13.12.110 Special Rates. 13 - 34
- 13.12.120 Board of Equalization, Rates, and Rebates. 13 - 34
- 13.12.130 Use Without Payment Prohibited. 13 - 34
- 13.12.140 Delinquency-Discontinuance of Service. 13 - 34
- 13.12.150 Turning on Water after Being Turned off Prohibited. 13 - 35
- 13.12.160 Separate Connections. 13 - 35
- 13.12.170 Unauthorized Users. 13 - 35
- 13.12.180 Pipes to Be Kept in Good Repair. 13 - 35
- 13.12.190 Quality of Service Pipe. 13 - 35
- 13.12.200 Faulty Equipment. 13 - 35
- 13.12.210 Sprinkling Vehicles. 13 - 36
- 13.12.220 Department to Have Free Access. 13 - 36
- 13.12.230 Non-liability for Damages. 13 - 36
- 13.12.240 Water Not Supplied for Motors, Syphons, Etc. 13 - 36
- 13.12.250 Sprinklers. 13 - 36
- 13.12.260 Scarcity of Water. 13 - 36
- 13.12.270 Waste of Water. 13 - 37
- 13.12.280 Water Meters..... 13 - 37
- 13.12.290 Permits for Installation. 13 - 38
- 13.12.300 Applications for Installation Permit. 13 - 38

13.12.310 Moving or Replacement of Water Lines. 13 - 38

13.12.320 When Permits Shall Not Be Issued. 13 - 38

13.12.330 Discontinuance of Service. 13 - 38

13.12.340 Fire Hydrants. 13 - 39

13.12.350 Extension of Water Mains Within the City. 13 - 39

13.12.360 Cost of Extensions Determined. 13 - 39

13.12.370 Amount of Cost to Be Deposited with Recorder. 13 - 39

13.12.380 Return of Any Money - Forfeiture. 13 - 39

13.12.390 Ownership of Extension. 13 - 39

13.12.400 Supply of Water Services to Outside the Municipal Limits. 13 - 39

13.12.410 Petition for Service. 13 - 39

13.12.420 Extensions May Be Master-Metered. 13 - 40

13.12.430 Cost of Extensions to Be Determined by Water Superintendent..... 13 - 40

Chapter 13.13 - Culinary Water Cross Connection Control 13 - 41

13.13.110 Purposes of Ordinance..... 13 - 41

13.13.120 Responsibility: Pleasant View City. 13 - 41

13.13.130 Responsibility: Customer. 13 - 41

13.13.140 Responsibility: Plumbing Official 13 - 42

13.13.150 Responsibility: Certified Backflow Technician, Surveyor, etc. 13 - 42

13.13.210 Word Usage and Interpretation. 13 - 43

13.13.310 Policy. 13 - 44

13.13.320 Violation of this Policy. 13 - 46

Chapter 13.14 - Drinking Water Source Protection Ordinance 13 - 47

13.14.010 Short title and Purpose..... 13 - 47

13.14.020 Definitions. 13 - 47

13.14.030 Establishment of drinking water source protection zones..... 13 - 48

13.14.040 Permitted uses..... 13 - 48

13.14.050 Prohibited uses 13 - 48

13.14.060 Administration 13 - 49

13.14.070 Conflicting Provision 13 - 49

Chapter 13.16 - Secondary Water..... 13 - 50

13.16.010 Connection to Secondary Water System. 13 - 50

13.16.020 Prohibited Irrigation Systems. 13 - 50

13.16.030 Use of Culinary Water for Irrigation Prohibited. 13 - 50

13.16.040 Building Permits Issued..... 13 - 50

13.16.050 Violation-Penalty..... 13 - 50

Chapter 13.20 - Land Drains 13 - 51

13.20.010 Homeowner's Responsibility. 13 - 51

13.20.020 City's Responsibility. 13 - 51

13.20.030 Developer's Responsibility. 13 - 51

13.20.040 Installation Inspection 13 - 51
13.20.050 Termination..... 13 - 51

Chapter 13.30 - Wastewater Control 13 - 52
13.30.010 Controls 13 - 52
13.30.020 Repeater 13 - 52

Chapter 13.40 - Inspection Fees..... 13 - 53
13.40.010 Inspection Fee 13 - 53

Appendix 1 Application for Water Connection

Appendix 2 Application for Water Service

Appendix 3 Non-Owner Applicants-Agreement of Owner

Chapters: 13.04 - Sewer Systems

13.04.010 Supervision.

A. The sewer system of the city shall be under the immediate care, supervision and control of the director of public works, who shall in this chapter be referred to as the "director." The director shall have charge of all the equipment, appurtenances pertaining to the sewage system of the city. He shall have the direction of the laying of the sewer mains and of putting in all service pipes, and the regulation and disposal of sewage, and shall perform such other duties as may be required of him by law or ordinance or by this contract of employment. He shall make such reports to the city council as the city council shall by resolution provide and shall make such suggestions as the nature of the service may require. (Ord. dated 11/14/71 §1)

13.04.020 Rates and Inspection Fees.

A. The mayor and the city council shall from time to time enact by resolution regulations prescribing connection charges and rates to be charged for the use of the sewer system, inspection and permit fees and procedures, rules for levying, billing, guaranteeing and collecting the charges for sewer service, rules governing the manner of making connections to the sewer system, materials to be used and such other rules and regulations for the management and control of sewage disposal as they shall deem fit. (Ord. dated 11/14/71 §2)

B. All sewer connections fees incurred by Pleasant View City for any sewer connections made to Central Weber Sewer District will be reimbursed to the city by building permit applicant at the time of the issuance of a building permit. (Ord. 93-K, 7/13/93)

C. E.P.A. Industrial Pretreatment charges allocated to Pleasant View City from Central Weber Sewer District will be prorated by and reimbursed to the city by said invoice from the city to the following businesses in Pleasant View City.

1. Businesses whose monthly average use of water is 20,000 gallons or more, regardless of the kind of service process, sales or any other endeavor in which they are engaged.
2. Businesses which by virtue of their processes, fall into the categorical standards as promulgated by the environmental protection agency, regardless of the amount of water consumption.
(Ord. 93-K, 7/13/93)

13.04.030 Connection to Sewer System.

A. It is expressly provided that it shall be unlawful for the owner or other persons having charge of or occupying any property upon which a building shall have been or is being constructed for use for human occupancy, any part of which building is within three hundred feet of any street, alley or way in which a public sewer is then in existence and used in the city to construct or permit to be constructed or to use or to permit to be used any privy vault, septic tank, or cesspool connected with such building. Every such owner or other person shall, with thirty days after having been given notice by the city,

that an accepted public sewer is ready to receive connections, therewith cause such building to be connected with the sewer, and it shall thereafter be unlawful for such owner or other person to have the plumbing in such building remain unconnected to the public sewer or to maintain or use or cause or permit to exist any privy vault, septic tank or cesspool to which the building is connected or which is used by the occupant thereof. Whenever an accepted public sewer system is available to receive connections therewith, the director shall cause appropriate notice to be served upon the owner, agent or other person having charge of or occupying all property coming within the scope of this section, that the public sewer is ready to receive connection therewith, and that all plumbing must be connected with such sewer. (Ord. dated 11/14/71 §3)

B. The city policy for maintenance and installation of sewer lateral has been, and will continue to be, the responsibility of the property owner. (Ord. 92-9, 8/11/92)

C. The sewer lateral is defined as that portion of sewer line that branches from the main sewer line to the building, and includes the connection to the main sewer line. (Ord. 92-9, 8/11/92)

D. It shall be the responsibility of the individual property owners to maintain, repair, and keep free from obstructions, all sewer facilities on their premises and the sewer connection lines or laterals that connect the sewer facilities on said premises with the main sewer lines in the adjacent streets, or wherever located. It shall be the responsibility of the city to maintain, repair, and keep free from obstructions, the main sewer lines in the streets, or wherever located. (Ord. 92-9, 8/11/1992)

13.04.040 Pipe Laying-Repairs. It shall be unlawful for any person to commence or carry on the work of laying, repairing, altering or connecting any private drain or sewer pipe directly or indirectly with the public sewer without first having received the regular permit required by ordinance from the director. The license of the plumber so doing shall be revoked by proper authorities. (Ord. dated 11/14/71 §4)

13.04.050 Permit-Required. It shall be unlawful for any person to connect or attach any private drain or house connection directly or indirectly with the public sewer without having first paid for and received a sewer installation permit from the director. If any work requiring a permit under these ordinances be commenced without a permit first having been obtained therefor double the permit fee herein prescribed shall be collected when a permit is finally obtained. A payment of any fee provided for in this section, however, shall in no way relieve any person of the penalties that may be imposed for the violation of any section in this chapter. In no event shall any person be issued a permit for a sewer connection or otherwise be allowed to connect to the sewer system without first paying or arranging for the payment of the standard connection fee provided for in this chapter. (Ord. dated 11/14/71 §5)

13.04.060 PermitApplication-Fees. Application for permits for sewer connections must be made in writing jointly by a plumber duly licensed and registered by the Utah State Department of Registration and holding a valid contractor's license duly issued by the city, and by the owner of the premises involved, on an application blank furnished by the

director. If, in the judgment of the director the carrying out of such connection will cause no injury to the street in which the sewer sought to be connected with is laid or to the carrying out of the improvements projected or which may thereafter be made on the street, or prejudicial to the interest of persons whose property has been or may thereafter be connected with the sewer, and that the connection in all things shall conform to the ordinances of the city, then the application to connect with the sewer shall be granted subject to the provisions of this chapter. All sewer connections shall be to line and grade designated by the director who shall prepare a plat for each connection and file such plat in his office for which services filing and inspection the director shall collect a fee in the amount fixed by a resolution of the council. (Ord. dated 11/14/71 §6)

13.04.070 Permit-Revocation. All permits for sewer connections shall be issued to the plumber who is to do the work, but the director may at any time revoke a permit on account of defective work. (Ord. dated 11/14/71 §7)

13.04.080 Permit-Denial. Permits to connect with the sewer shall not be issued unless the plumbing in the house or building to be connected is in accordance with the provisions of all ordinances and codes of the city relating thereto. No permit shall be issued nor shall any connection be made to the main sewer when the fixtures in the house or buildings are located lower than the present elevation of the main sewer unless adequate means such as a pump or pneumatic ejector is installed in the plumbing of the house or building to lift and discharge the sewage at the required elevation to permit gravity flow from the building to the main sewer. (Ord. dated 11/14/71 §8)

13.04.090 Completion of work. The work authorized by the permit shall be done with all possible speed in accordance with city ordinances. If the work is not completed within thirty days, unless special extension is granted by the director, the permit shall be void and no refund made for the delay. (Ord. dated 11/14/71 §9)

13.04.100 Buildings-Separate Connection-Exceptions. Each separate building or premises shall have a separate connection to the main line sewer except only in cases where that is impracticable or inadvisable and then only on special permission to be granted by city council upon recommendation of the director; provided, however, that no such special permission shall be granted by the city council unless and until the owner of each building or premises to be thus connected shall grant to and receive from each other perpetual easements and rights-of-way which shall be properly recorded in the county recorder's office across and upon each of the premises involved, for the purpose of constructing and maintaining each separate connection, and shall covenant and agree as a part of such right-of-way or easement, so that the same shall be a covenant appurtenant to and running with the land that each owner will bear and pay his proportionate share for the maintenance and repair of the connection, whether the expenditure, maintenance or repair is, or becomes necessary, upon his own premises or upon the premises with which he is connected, except for where a dwelling is in the rear

of another building and on the same building lot and owned by the same party, then the director may issue a sewer permit for a double connection. (Ord. dated 11/14/71 §10)

13.04.110 Fixtures. It is unlawful for any person to use any kind of equipment or material in connection with the sewer system except the kind prescribed or approved by the ordinance in the city. (Ord. dated 11/14/71 §11)

13.04.120 Use Without Payment Prohibited. It shall be unlawful for any person by himself, family, servants or agents to utilize the city sewer system without first paying therefor, as provided in this chapter or to in any manner injure, deface or impair any part of the sewer system. (Ord. dated 11/14/71 §12)

13.04.130 Service Charges-Connection Fees.

A. All structures that can be served by the sewer when the same is completed and ready for use shall be charged the rates fixed as provided in this chapter, whether or not such structures are connected to the sewer, commencing with the month following the month when the sewer is completed to the point when the connection would be made

B. The city's culinary water collection system, sanitary system, storm sewer system, and solid waste collection system are interrelated services that are, and of right ought to be, part of a unified city plan to provide for the health, safety and welfare of the city and its residents in an environmentally responsible manner.

C. The city shall mail a written statement to each user of the sewer services once each month or such other regular intervals as the city council shall direct. The statement shall separately specify the amount of the bill and the place of payment and date due.

D. If any person fails to pay sewer utility or any combination of city utility charges by the 10th day of the month following the date due, a penalty will be charged on the unpaid balance. If the balance remains unpaid for 30 days of the date due, under the direction of the utility superintendent the customer may be given notice in writing of intent to discontinue the water service to the customer unless the customer pays the bill in full ten days from the date of notice. The customer will be charged a fee for the notice given of the intent to discontinue the water service as set by resolution of the governing body.

E. If the water service is thereafter discontinued for failure to make payment, then before the water service to the premises shall again be provided, all delinquent charges must have been paid to the city or arrangements made for their payment in a manner satisfactory to the city. In the event the Pleasant View City water is turned off for nonpayment of charges, then before the water service to the premises shall again be provided, the customer shall pay, in addition to all delinquent water charges, such extra charge for turning the water on as established by resolution of the governing body. (Ord.2010-16, dated 6/8/10; prior ordinances: Ord. dated 11/14/71 §13)

13.04.140 Installation Inspection. The inspection of sewer connections between the main sewer and three feet outside of the building line shall be made by/or under the direction of the director. He shall be notified at least twenty-four hours in advance by the plumber that the connection is complete and ready for inspection. The entire length of the sewer

connection, including a "Y" at the main sewer shall be fully exposed. No back-filling shall be done until the inspection is made and the work accepted. If any portion of the work is not done in accordance with this chapter and the instructions of the director or his inspectors, it shall be rectified promptly. In the event that the connections are not complete, or if change makes necessary another inspection, a charge of thirty dollars per hour. Work done without notice to inspect or without inspection shall be treated as defective work and shall be condemned, uncovered and re-laid, if necessary, to the grade given by the director and inspected by the property officer upon the proper permits being taken out and paid for. The license of the plumber or sewer contractor shall be revoked. No permit shall be issued to any licensed plumber during the time he shall fail to remedy any defective work after he has been notified that he has been held responsible therefor under these regulations. The permit must be on the premise during the whole time the work is in progress and until such time as the work is approved by the director as attested to by his signature of approval on the permit. (Ord. dated 11/14/71 §14)

13.04.150 Sewer Manhole. It shall be unlawful for any person to open any sewer manhole without permission from the director. (Ord. dated 11/14/71 §15)

13.04.160 New Construction. No building permit for new construction or remodeling shall be issued until the owners of the proposed new construction or remodeling shall have paid the sewer connection fee provided for in this chapter. (Ord. dated 11/14/71 §16)

13.04.170 Policy Declaration. The council has caused a survey to be made of sanitary conditions within the city, including the geological aspects in relation to industrial, business and residential establishments as the same affect the health and welfare of the inhabitants of the city, and has determined and does determine and require that it is necessary for the protection of the public health that owners of improved property within the city be required to connect their industrial business and residential establishments to the sewer system and to cease to use all other methods of sewage disposal, if such establishments are capable of being served by and through the municipal sewer system. (Ord. dated 11/14/71 §17)

13.04.180 Violation. Any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued or permitted. (Amended during 1988 codification; Ord. dated 11/14/71 §18)

Chapter 13.08 - Storm Water Utility

13.08.010 Findings.

The City Council makes the following findings regarding storm water runoff and the City's storm water system:

- A. The City's existing storm water system consists of a network of man-made and natural facilities, structures and conduits, including groundwater and aquifers, that collect and route storm water runoff.
- B. Uncontrolled or inadequately controlled storm water runoff endangers the City's groundwater supply.
- C. Uncontrolled or inadequately controlled storm water runoff causes erosion and property damage.
- D. Uncontrolled or inadequately controlled storm water runoff hinders the City's ability to provide emergency services to its residents.
- E. Uncontrolled or inadequately controlled storm water runoff impedes the regular flow of traffic in the City.
- F. Uncontrolled or inadequately controlled storm water runoff poses health hazards to the citizens of the community.
- G. Storm water runoff carries concentrations of oil, grease, nutrients, chemicals, heavy metals, toxic materials and other undesirable materials that may jeopardize the integrity of ground waters and receiving waters, including the City's culinary water supply.
- H. All developed properties in the City contribute to the need for the storm water system by converting natural ground cover into impervious surfaces.
- I. All developed properties in the City make use of or benefit from the City's operation and maintenance of the storm water system.
- J. The City has prepared and must comply with its Storm Water Management Plan.
- K. Absent effective maintenance, operation, regulation and control, existing storm water drainage conditions in the City constitute a potential hazard to the health, safety and general welfare of the City, its residents, and its businesses.
- L. A storm water utility is the most equitable and efficient method of managing storm water in the City and ensuring that each property in the City pays its fair share of the amount that the

property contributes to, benefits from, and otherwise uses the storm water system. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.08.020 Purpose.

The purpose of this Chapter is to protect the health, safety and welfare of the City and its inhabitants by improving the City's storm water system, managing and controlling storm water runoff, protecting property, preventing polluted waters from entering the City's water supply and other receiving waters, and establishing a viable and fair method of financing the construction, operation and maintenance of the storm water system. (Ord.2011-2, dated 3/22/11)

13.08.030 Definitions.

The following bolded words and phrases shall be defined as follows in this Chapter and for all other chapters relating to storm water:

- A. **Best Management Practices (BMPs).** A wide range of management procedures, schedules of activities, prohibitions of practices, maintenance procedures, and other management practices which have been demonstrated to effectively control the quality and/or quantity of storm water runoff and which are compatible with the planned land use. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw material storage. A list of sample BMP's can be found in the Pleasant View City Storm Water Management Plan, current version (available at the Pleasant View City Hall.)
- B. **Catch Basin.** A structure designed to capture and convey storm water into the City's storm water system and keep out large or obstructive matter.
- C. **City or Municipality** or similar term means Pleasant View City, Utah, its geographical boundaries, jurisdiction, and its contract providers as the context may dictate. The City may also be referred to as a Municipal Separate Storm Sewer System (MS4).
- D. **City Council** or **Council** means the governing body of the City.
- E. **Debris.** Any dirt, rock, sand, vegetation, rubbish or litter.
- F. **Detention Basin.** An area designed to detain peak flows from storm water runoff and to regulate release rates of that water into the City's storm drainage system, also allowing debris to settle out. Detention basin outlets are connected directly to downstream storm drains. All flow entering detention basins are released via outlet piping. Regional Detention Basins are defined as large detention basins owned and maintained by the City. Local Detention Basins are defined as smaller basins typically in subdivisions and constructed by developers. Following conditional acceptance of the construction, the operation and maintenance may either be conveyed and maintained by the City or owned and maintained by private property owners.

- G. **Developed Property.** Any property that has been altered from its natural condition by grading, filling, or the construction of improvements or other impervious surfaces.
- H. **Development or Land Development.** Any man-made change to improved or unimproved real estate, including but not limited to site preparation, filling, grading, paving, excavation, development of a parcel, lot, subdivision plat or site plan and construction of buildings or other structures.
- I. **Director.** The Public Works Director or Superintendent of Pleasant View City or his duly appointed deputy, agent, or representative.
- J. **Disturb.** To alter the physical condition, natural terrain or vegetation of land by clearing, grubbing, grading, excavating, filling, building or other construction activity.
- K. **Drain Inlet.** A point of entry into a sump, detention basin, or storm drain system.
- L. **Drinking Water Source Protection Zone.** Zones determined by Geo-Hydrology designed to protect groundwater aquifers of a well in a Culinary Water System.
- M. **Equivalent Residential Unit ("ERU").** The average amount of impervious surface, expressed in square feet, on developed single family residential parcels in Pleasant View.
- N. **Hazardous Material.** Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial presence or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed. Hazardous material includes, but is not limited to, any hazardous substance designated under 40 CFR part 116 pursuant to section 311 of the Clean Water Act.
- O. **Illicit Connection.** Illicit connection means either of the following:
1. Any drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system. Examples include, but are not limited to, any conveyances which allow non-storm water discharge such as sewage, process wastewater, or wash water to enter the storm drain system, and any connections to the storm drain system from indoor drains or sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by a government agency; or
 2. Any drain or conveyance connected to or discharging to the storm drain system, which has not been (1) documented in plans, maps, or equivalent records submitted to the City, and (2) approved in writing by the City.

- P. **Illicit Discharge.** Any non-storm water discharge to the storm water system. Illicit discharges include both direct connections (e.g. wastewater piping either mistakenly or deliberately connected to the storm water system) and indirect connections (e.g. infiltration into the storm water system or spills collected by drain inlets).
- Q. **Impervious Surface.** Any hard surface, other than the natural surface, that prevents or retards the absorption of water into the soil, or that causes water to run off the surface in greater quantities or at a greater rates of flow than the natural surface (including roofs, concrete, etc.).
- R. **Municipal Separate Storm Sewer System (MS4).** A conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains.
- S. **NPDES Permit.** A general permit obtained by the State of Utah from the Environmental Protection Agency under the National Pollutant Discharge Elimination System (NPDES), as authorized by the Clean Water Act, under which the City's discharges of storm water are regulated.
- T. **Percolation.** The ability of a soil to absorb water. Typically measured by a Standard Percolation Test in units of minute per inch.
- U. **Person.** Any individual, corporation, partnership, association, company or body politic, including any agency of the State of Utah and the United States government.
- V. **Pollutant.** Dredged spoil; solid waste; incinerator residue; filter backwash; sewage sludge; munitions; chemical wastes; biological materials; radioactive materials; wrecked or discarded equipment; rock; sand; cellar dirt; industrial, municipal and agricultural waste; paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, that may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete resins); and noxious or offensive matter of any kind.
- W. **Redevelopment.** Alterations of a property that change the footprint of a site or building in such a way that disturbs one acre of land or more.
- X. **Retention Basin.** Means an area designed to retain flows from storm water runoff and to encourage infiltration into surrounding sub-surface soils. Retention basins do not have

outlet piping connected into a storm water system. A retention basin allows debris to settle out.

- Y. **Sanitary Sewer Overflow (SSO).** A discharge of untreated sanitary wastewater. SSOs are illegal and must be eliminated. All SSOs must be reported to the Division of Water Quality.
- Z. **Storm Drain.** A closed conduit for conducting collected storm water.
- AA. **Storm Water.** Any flow that occurs during or following any form of natural precipitation. Storm water includes only the portion of such flow that is composed of precipitation.
- BB. **Storm Water System.** The system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, detention basins, curbs, gutters, ditches, natural channels, man-made channels, sumps, storm drains, and ground water) owned and operated or utilized by the City, which is designed and used for collecting or conveying storm water. The storm water system is also referred to as a “municipal separate storm sewer system” or “MS4”.
- CC. **Storm Water Runoff.** Water that is generated by storm water flows over land.
- DD. **Sump.** A formalized underground structure, surrounded by drain rock, that acts as a detention basin to allow the slow release of water into the surrounding sub-soil. Sumps usually receive storm water runoff from paved areas such as streets, parking lots, building roofs, etc. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.08.040 Storm Water Utility.

- A. **Creation.** The Storm Sewer Utility created by Ordinance No. 99-13 shall henceforth be known as the Storm Water Utility. The storm water utility shall plan, design, construct, maintain, administer and operate the City’s storm water system.
- B. **Enterprise Fund.** The storm water utility enterprise fund established by Ordinance No. 99-13 shall handle all income, expenses and other financial transactions related to the storm water utility. All storm water utility service charges shall be deposited in the enterprise fund. Money in the storm water utility enterprise fund shall not be commingled with or transferred to other City funds. However, the storm water utility may pay other City funds for services and expenses directly attributable to the storm water utility. The enterprise fund shall be operated according to State law and City policy.
- C. **Facilities and Assets.** The storm water utility shall operate independently of City operations funded by the general fund. The storm water utility shall have the same relationship to the City as other City utilities, such as the water utility and the sanitary sewer (waste water) utility. Upon creation of the utility by Ordinance No. 99-13, all of the City’s storm water facilities and assets (other than streets and other facilities and assets designated by the City

Council) were transferred to the storm water utility in consideration for the storm water utility's agreement to take primary responsibility for planning, designing, constructing, maintaining, administering and operating the City's storm water system. (Ord.2011-2, dated 3/22/11)

13.08.050 Storm Water Utility Fee.

- A. **Imposed.** Each developed parcel of real property in the City shall be charged a storm water utility fee.
- B. **ERU.** The fee shall be based on the number of equivalent residential units (ERU's) contained in the parcel. The City Council finds that the ERU is the most accurate measurement for determining the amount that each parcel contributes to, benefits from, and otherwise uses the storm water utility. The storm water utility fee shall be based on the number of ERU's contained in the parcel. The ERU for one single family residential lot is an average of 3,000 square feet of impervious surface.
- C. **Calculation.** The City Council finds that each single family residential parcel contributes approximately the same amount of storm water runoff; therefore, each developed single family residential parcel shall pay a base rate of one (1) ERU. All non-single family residential parcels shall pay a multiple of this base rate, expressed in ERU's, according to the measured impervious area on the parcel.
- D. **Charge per ERU.** The amount charged for each ERU shall be established by resolution of the City Council.
- E. **Exemptions and Credits.** The City Council may establish exemptions and credits to the storm water utility fee by resolution.
- F. **Policies.** The City may adopt policies, consistent with this Chapter and any resolutions passed by the City Council, to assist in the application, administration and interpretation of this Chapter and any resolutions related to the storm water utility.
- G. **Appeals.** Any person or entity that believes that this Chapter, or any storm water utility rate resolution, was interpreted or applied erroneously may appeal to the City Council. The appeal shall be in writing, shall state any facts supporting the appeal, and shall be made within ten (10) days of the decision, action, or bill being appealed. The City Council's decision shall be final and binding on all parties. (Ord.2011-5, dated 9/27/11 and Ord.2011-2, dated 3/22/11)

13.08.060 Billing.

- A. **Consolidated Utility Bill.** The City's culinary water distribution system, sanitary sewer system, storm water system, and solid waste collection system are interrelated services that are part of a unified city plan to provide for the health, safety and welfare of the city

and its residents in an environmentally responsible manner. Therefore, the storm water utility fee shall be included on the city's regular utility bill for any given property.

- B. Applies to All Developed Properties with Impervious Surface.** All developed properties with impervious surface within the city shall be charged the storm water utility fee, regardless of whether or not the owner or occupant of the property requests the storm water utility service. The city shall mail a written statement for the storm sewer utility fee once each month or such other regular intervals as the city council shall direct. The statement shall separately specify the amount of the bill and the place of payment and date due.
- C. Late Penalties.** If any person fails to pay storm water utility or any combination of city utility charges by the 10th day of the month following the date due, a penalty will be charged on the unpaid balance. If the balance remains unpaid for 30 days of the date due, under the direction of the utility superintendent, the customer may be given notice in writing of intent to discontinue the water service to the customer unless the customer pays the bill in full ten days from the date of notice. The customer will be charged a fee for the notice given of the intent to discontinue the water service as set by resolution of the governing body. If there is no water service for the property, the storm water utility fee shall be deemed a civil debt owed to the city by the person or entity paying for city utility services provided to the property.
- D. Restoration of Service.** If the water service is thereafter discontinued for failure to make payment, then before the water service to the premises shall again be provided, all delinquent charges must have been paid to the city or arrangements made for their payment in a manner satisfactory to the city. In the event water is turned off for nonpayment of charges, then before the water service to the premises shall again be provided, the customer shall pay, in addition to all delinquent water charges, such extra charge for turning the water on as established by resolution of the governing body. (Ord.2011-2, dated 3/22/11)

(Ord.2011-2, dated 3/22/11 repealed and replaced Chapter 13.08 in its entirety which consisted of the following ordinances: Ord. 87-15.04(x), 1987 and Ord. 91-5, 7/9/91)

Chapter 13.09 - Storm Drainage

13.09.010 Prohibited Obstructions.

A. It is unlawful for any person to:

1. Obstruct the flow of water in the storm water system.
2. Contribute to the obstruction of the flow of water in the storm water system.
3. Cover or obstruct any drain inlet.

B. The following obstructions are exempt from the prohibitions of this section:

1. Street and/or storm water improvement projects authorized by the City.
2. Flood control and prevention activities performed by the City.
3. Obstructions approved by the City as part of a site's storm water drainage plan.
4. Obstructions serving as best management practices as part of a Storm Water Pollution Prevention Plan.
5. Obstructions occurring during clean-up periods established by the City, provided that the materials are placed according to City directions and do not obstruct drain inlets. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.09.020 Prohibited Discharges.

A. It is unlawful for any person to discharge non-storm water discharges to the MS4 including spills, illicit connections, illegal dumping and sanitary sewer overflows ("SSOs") into the storm sewer system. All SSOs must be reported to the Division of Water Quality.

B. A list of discharges to the storm water system that are exempt from the prohibitions of this section are found in the City's Storm Water Management Plan, current version. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.09.030 Prohibited Storage and Littering.

A. It is unlawful for any person to maintain, store, keep, deposit or leave any pollutant or hazardous material, or any item containing a pollutant or hazardous material, in a manner that is likely to result in the discharge of the pollutant or hazardous material to the storm water system (e.g. open containers of paint or chemicals, rusted items, etc.). (Ord.2011-2, dated 3/22/11)

13.09.040 Best Management Practices.

- A. Any person connecting to the storm water system or developing a commercial or industrial site shall employ Best Management Practices (BMPs) approved by the City. A menu of BMPs that may be used to satisfy this requirement are found in the City's Storm Water Management Plan. The BMPs may be structural and/or non-structural, depending on the needs of the site. The BMPs shall be designed to ensure that the quality and quantity of storm water released to the City's storm water system meets the requirements of federal, state and local laws and regulations and the City's UPDES permit, and will not exceed the designed capacity of the storm water system or jeopardize the integrity of the storm water system. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.09.050 Easements.

- A. The director and his assigns may enter all private properties through which the City holds an easement for the purposes of inspecting, observing, measuring, sampling, repairing or maintaining any portion of the storm water facilities lying within the easement, or the performance of any other duties pertinent to the operation of the storm water system. All entry and subsequent work, if any, on an easement, shall be completed according to any special terms of the easement. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.09.060 Authority to Inspect.

- A. Whenever necessary to make an inspection to enforce any provision of this Chapter, or whenever the City has cause to believe that there exists, or potentially exists, a condition which constitutes a violation of this Chapter, the City may direct its qualified personnel to request entrance to the premises at all reasonable times to inspect, detect, investigate, eliminate and enforce any suspected non-storm water discharges, including illegal dumping, into the City's storm water system. During the same time the City may inspect and copy records related to storm water compliance. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the City is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.
- B. The access for the City to inspect storm water control measures on private property that is vested subsequent to the effective date of this Chapter includes both construction-phase and post-construction access. Upon approval of the Director, and in lieu of City employees inspecting and maintaining storm water controls on private property, the City may allow the owner/operators or a qualified third party to conduct maintenance so long as:
 - 1. At least annual certification, in the form of inspection documentation which has been performed, is provided to the City; and
 - 2. The structural controls are adequately operating and maintained as such were designed to protect water quality as provided in the original maintenance agreement and plans submitted upon vesting and approval of the site.

3. Permission is granted for city employees to enter the property and conduct an inspection every five (5) years as required by the State of Utah General Permit for Discharges from Small Municipal Separate Storm Sewer Systems.
- C. A long-term storm water maintenance agreement is required on private property that is vested subsequent to the effective date of this Chapter including both construction-phase and post-construction access and where owner/operators or a qualified third party conduct maintenance as provided herein. Said maintenance agreement shall be promulgated in the form and manner as determined by the Director so long as the agreement at a minimum:
1. Allows the City inspection and oversight authority of the storm water measures;
 2. Includes a provision that the agreement acts as a covenant that runs with the land;
 3. Allows the City to perform necessary maintenance or corrective actions neglected by the owner/operators or the qualified third party; and
 4. Allows the City to recoup the costs from the owner/operator as necessary to cover the expenses for actions conducted by the City.
- D. The City interprets this regulation as secondary and subservient to the United States Constitution and the Utah State Constitution as applied to property rights, land use, development, and similar rights. Specifically, the intent of this regulation is not to be applied to violate vested property rights nor to be a physical invasion of property rights as determined by the United States Supreme Court in Loretto v. Teleprompter Manhattan CATV Corp., 458 U.S. 419 (1982). The City recognizes that the United States Supreme Court interprets property right in conjunction with the laws and constitutions of each state. Therefore, Utah law also plays an important role in defining property rights. For the purpose of determining when a property right is vested the City shall continue to apply the Utah Supreme Court ruling in Western Land Equities, Inc. V. City of Logan, 617 P.2d 388 (1980) that states a property owner is vested to follow the City's regulations in effect at the time a land use application is filed. Furthermore, where there is vagueness in any land use regulation, including the storm water regulations, it shall be interpreted in favor of the property owner. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.09.070 Requirement to Monitor and Analyze.

- A. If City tests or inspections indicate that a site is causing or contributing to storm water pollution, illegal discharges, and/or non-storm water discharges to the storm water system or waters of the United States, and if the violations continue after notice from the City, the City may require any person engaged in the illicit activity and/or the owner of operator of the site to provide, at their own expense, monitoring and analyses required by the City to determine compliance with this Chapter. (Ord.2011-2, dated 3/22/11)

13.09.080 Enforcement Procedures.

Whenever the City finds that a person, organization, or institution (not to exclude the State or Federal government) has violated a prohibition or failed to comply with a requirement of this Chapter, the Director or his designee will order compliance by the following procedure:

- A. A verbal warning shall be given. The verbal warning shall be documented in the City records by the qualified person (code enforcement officer, city inspector, public works employee) who issued the warning. The City may skip the requirements set forth in this Section and immediately proceed with other more severe actions against the violator if:
 1. The violator has committed the same violation in the past, or
 2. The violation, in the opinion of the City, creates a serious risk to persons, the environment or property, or
 3. The City deems the violation to constitute an emergency.
- B. Issue a written notice of violation to the responsible person(s), company or institution. The notice of violation shall be documented in the City records by the qualified person who issued the notice. Such notice may require without limitation:
 1. The performance of monitoring, analyses, and reporting;
 2. The elimination of illicit connections or discharges;
 3. That violating discharges, practices, or operations shall cease and desist;
 4. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
 5. Payment to cover administrative, remediation, monitoring, analyses, and reporting costs; and
 6. The implementation of source control or treatment BMPs.

The City may skip the notice requirements set forth in this Section and immediately proceed with criminal and/or civil action against the violator if:

1. The violator has committed the same violation in the past, or
2. The violation, in the opinion of the City, creates a serious risk to persons, the environment or property, or
3. The City deems the violation to constitute an emergency.

- C. Issue a citation, penalty or stop work order. The citation, penalty, or stop work order shall be documented in the City records by the qualified person who issued it. Such violations may penalize the violator as follows:
1. The violation of any provision of this Chapter is a Class B misdemeanor. Each day that a violation occurs shall constitute a separate offense.
 2. If, as the result of the violation of any provision of this Chapter, the City or any other party suffers damages and is required to make repairs and/or replace any materials, the cost of repair and/or replacement shall be borne by the violating party and shall be in addition to any criminal or civil fines and/or penalties.
 3. In addition to the provisions of 1 and 2 above, violators of this Chapter may also be subject to prosecution, fines and penalties from the State of Utah and the United States EPA, as provided by the Small MS4 General UPDES Permit No. UTR090000, Utah stormwater regulations, and the Clean Water Act. As circumstances warrant, the City may request that the State of Utah and/or the United States EPA assist with enforcement.
 4. The Small MS4 General UPDES Permit, Permit No. UTR090000 defines the maximum penalties for violations of Permit conditions as follows:
 - a. The *General UPDES Permit* provides that any person who violates a Permit condition implementing provisions of the [Utah Water Quality] Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates Permit conditions or the Act is subject to a fine not exceeding \$25,000 per day of violation. Any person convicted under *UCA 19-5-115(2)* a second time shall be punished by a fine not exceeding \$50,000 per day.
 - b. The *General UPDES Permit* provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine of not more than \$10,000.00 per violation, or by imprisonment for not more than six months per violation, or by both. Utah Code Ann. § 19-5-115(4).
 - c. The *General UPDES Permit* provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this Permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.

5. A stop work order may be issued upon the discovery of work being conducted without a permit as required by Chapter 13.10. The stop work order may be issued by inspectors in the Public Works or Community Development Departments (including Building Inspection and Code Enforcement). No construction activity may be commenced or continued on any site for which a Permit has been revoked or suspended until the Permit has been reinstated or reissued. (Ord.2011-2, dated 3/22/11)

13.09.090 Damage to Storm Water System.

Any person who damages any portion of the storm water system, including ditches, man-made channels, and natural channels, shall be responsible for repairing the damages. Owners of property affected by easements for the storm water system or adjacent to any portion of the storm water system shall be responsible for maintaining their property in a manner that does not damage the storm water system. Any damages shall be repaired by a licensed contractor bonded to do work in the City and shall be repaired in accordance with the City's Construction Standards and Specifications. It is unlawful to remove or alter any portion of the storm water system without permission from the Director. (Ord.2011-2, dated 3/22/11)

13.09.100 Manhole Covers.

It shall be unlawful to open any storm water manhole or other storm water fixture (such as grates, lids or inlets) without permission from the Director. (Ord.2011-2, dated 3/22/11)

13.09.110 Compliance with Federal and State Law.

Nothing in this Chapter shall be interpreted to relieve any person from an obligation to comply with an applicable Federal, State or local law relating to storm water discharges or drinking water protection. (Ord.2011-2, dated 3/22/11)

(Ord.2011-2, dated 3/22/11 repealed and replaced Chapter 13.09 in its entirety which consisted of the following ordinances: Ord. 99-13, dated 6/8/99, Ord. 99-16, dated 7/27/99, Res. 2009-B, dated 2/27/09, Ord.2000-14, dated 5/23/00, and Ord.2010-16, dated 6/8/10)

Chapter 13.10 - STORM WATER PERMITS

13.10.010 Purpose and Intent.

The purpose of this Chapter is to prevent the discharge of sediment and other construction-related pollutants from construction sites. Sediment and debris from construction sites are a major source of pollution to waterways and water systems located within the City and surrounding areas. Each year storm water runoff carries tons of sediment from construction sites into local drainage systems, irrigation systems, canals, rivers, and lakes. Sediment from storm water runoff also clogs and obstructs storm drains, culverts, and canals and causes damage to private property, wildlife habitat and water quality. (Ord.2011-2, dated 3/22/11)

13.10.020 Storm Water Construction Activity Permit - When Required.

A Pleasant View City Storm Water Construction Activity Permit is required before any person or entity may excavate, grub and clear, grade, or perform any type of construction activity that will disrupt or cause a change in the natural landscape upon any of the following types of property located within the City:

- A. **One Acre or More.** Any parcel, lot or land development which is equal to or greater than one acre (43,560 square feet) in size or less than one acre and part of a larger common plan of development or sale. A subdivision development greater than or equal to one acre in size qualifies under this subsection even if each of the individual lots in the subdivision is smaller than one acre.
- B. **Part of a Common Plan of Development.** Any parcel, lot, or land development that is less than one acre but part of a larger common plan of development or sale.
- C. **Special Concern Areas.** Any parcel, lot or land development, regardless of size, for which the City determines that because of the nature or type of the parcel, lot or development, disturbance of the land is likely to result in erosion or the transport of sediment off of the site by storm water to a degree substantially greater than that which would occur under natural landscape conditions. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.10.030 Storm Water Construction Activity Permit - Application.

Any person or entity desiring a Storm Water Construction Activity Permit must first file an application with the City. The application shall be submitted with, or as part of an application for a site plan or subdivision approval or building permit. Any person or entity desiring a Storm Water Construction Activity Permit must also prepare a Storm Water Pollution Prevention Plan and submit a Notice of Intent (NOI) with the State of Utah.

- A. **Content.** The application shall include a Storm Water Pollution Prevention Plan which meets the criteria set forth in Section 13.10.040.
- B. **Timing.** The applicant shall file the application on or before the following dates:

1. **Subdivision.** The date that the applicant submits the preliminary subdivision plat application if the applicant proposes to develop a subdivision.
 2. **Site Plan.** The date that the applicant submits a site plan application if the applicant proposes to develop a site plan or amended site plan.
 3. **Building Permit.** The date that the applicant submits a building permit application if the applicant proposes to construct a building on an existing lot or parcel.
 4. **Other.** At least two (2) weeks before the developer intends to perform any type of work not listed above that would require a Storm Water Construction Activity Permit pursuant to this Chapter.
- C. **Compliance.** If an applicant's development comes under more than one of the categories listed above, then the applicant shall submit the Storm Water Construction Activity Permit Application on the earliest of the listed dates. Failure to comply with the application dates set forth above is not a criminal offense, but may delay the applicant's project. Failure to acquire a required Storm Water Construction Activity Permit is grounds for denying a related subdivision application, site plan application, conditional use permit application, or building permit application. It is unlawful to commence work (move dirt) on a development site before obtaining a required Storm Water Construction Activity Permit.
- D. **Fee.** The applicant for a Storm Water Construction Activity Permit shall pay a fee in an amount set by resolution of the City Council.
- E. **Application Approval.** The City shall approve the application and grant the permit if the application is complete and meets the criteria set forth in Section 13.10.040. The City shall deny the application or approve the application with conditions if the City determines that the measures proposed in the Plan fail to meet the criteria set forth in Section 13.10.040. Conditions the City may impose in connection with the approval of a Permit include, but are not limited to, the establishment of specific measures and controls to prevent erosion and the discharge of sediment, debris and other construction-related pollutants from the site by storm water.
- F. **Term.** Unless otherwise revoked or suspended, a Storm Water Construction Activity Permit shall be in effect for the full period of the construction activity. The construction activity will not be considered to be completed until the following events occur:
1. **Subdivisions.** For Permits associated with a subdivision plat approval:
 - a. The Permittee must complete all required subdivision improvements; and

- b. One of the following three events must occur:
 - i. The City issues a final certificate of occupancy for each lot in the subdivision, or
 - ii. Individual Storm Water Construction Activity Permits have been issued for each lot in the subdivision not having a final occupancy permit, or
 - iii. The property has been re-vegetated or landscaped in a manner that eliminates erosion and sediment discharge or that brings the property back to its natural state.
 2. **Site Plans.** For Permits associated with a site plan approval, the date that the Permittee has completed all required landscaping and all outside construction work associated with the site plan.
 3. **Building Permits.** For Permits associated with a building permit application, the date that the City issues a final occupancy permit for the structure covered by the building permit.
 4. **Other.** For Permits issued that are not tied to other approvals from the City, the date that the Permittee has completed all work associated with the Permit and takes steps required by the Permit to prevent further erosion and runoff from the site.
- G. **Termination.** No Storm Water Construction Activity Permit shall be considered terminated until the Permittee notifies the City of the completion of the project and a final inspection is performed by an authorized City inspector to verify site stabilization. When the City inspector has verified the site is stabilized a Notice of Termination shall be submitted to the State of Utah by the Permittee. The Permittee shall keep and maintain all Permit-required improvements on the site until the City accepts the Notice of Termination.
- H. **Amendments.** In the event that the proposed construction activity for a site to which a Permit pertains is materially altered from that described in an original Plan in a way that may have a significant impact upon the effectiveness of the measures and controls described in the original Plan, the Permittee shall file an amended Storm Water Pollution Prevention Plan which meets the criteria set forth in Section 13.10.040. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.10.040 Storm Water Pollution Prevention Plan.

- A. **Required Information.** The Storm Water Pollution Prevention Plan (SWPPP) shall be required for all sites disturbing one acre or greater and for sites that are less than one acre that are part of a common plan of development or sale. The SWPPP shall contain the following information, though the following is not a comprehensive list of required elements of a Storm Water Pollution Prevention Plan. For complete requirements, see the General Permit for Construction Activities, which can be found at the State of Utah Division of Water Quality.
1. **Site Description.** A site description (including a map with spot elevations and contour lines) which includes a description of the nature and location of the construction activity, a description of the intended sequence of major activities which will disturb soils for major portions of the site (e.g. grubbing, excavation, grading, utilities, and infrastructure installation, etc.), and estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities;
 2. **Control Description.** A description of the proposed measures and controls that will be implemented during construction activity and/or while the site is not stable. The Plan must clearly describe the times during the construction process that the measures will be implemented for each major activity identified pursuant to subsection (A). The Plan shall also state the name, phone number, and email address of the person or entity responsible for implementation of each control measure.
- B. **Goals and Criteria.** The proposed measures and controls described in the Plan shall be designed to meet the following goals and criteria:
1. **Prevent or Minimize Discharge.** The proposed measures and controls shall be designed to prevent or minimize, to the maximum extent practicable, the discharge of sediment, debris and other construction-related pollutants from the construction site by storm water runoff into the storm drainage system.
 2. **Prevent or Minimize Construction Debris.** The proposed measures and controls shall be designed to prevent or minimize, to the maximum extent practicable, the deposit, discharge, tracking by construction vehicles, or dropping of mud, sediment, debris or other potential pollutants onto public streets and rights-of-way. Any such discharge shall be cleaned up and removed immediately upon notification to the Permittee or when it otherwise comes to the attention of the Permittee. At a minimum, the deposit or discharge shall be cleaned and removed at the end of the work shift in which the deposit occurred, or at the end of the work day, whichever comes first.
 3. **BMPs.** The proposed measures and controls shall consist of Best Management Practices (BMPs) available at the time that the Plan is submitted. BMPs may

include, but shall not be limited to, temporary silt or sediment fences, sediment traps and detention ponds, gravel construction entrances and wash down pads to reduce or eliminate off-site tracking, straw bale sediment barriers, establishment of temporary grasses and permanent vegetative cover, use of straw mulch as a temporary ground cover, erosion control blankets, temporary interceptor dikes and swales, storm drain inlet protection, check dams, pipe slope drains, rock outlet protection, reinforced soil retaining systems, and gabions.

4. **Stabilization.** The proposed measures and controls shall be designed to preserve existing vegetation, where possible. Disturbed portions of the site shall be stabilized. Stabilization practices may include temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. Use of impervious surfaces for stabilization should be avoided. Stabilization measures shall be initiated as soon as practicable in disturbed portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased, except under the following circumstances:
 - a. If the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceases is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable; or
 - b. If construction activity on a portion of the site is temporarily ceased, and earth disturbing will resume within 21 days, temporary stabilization measures need not be initiated on that portion of the site.
5. **Minimize Risk of Discharge of Other Materials.** The proposed measures and controls shall be employed to minimize the risk of discharge of construction-related pollutants (such as paint, thinners, solvents and other chemicals) from the construction site. Such measures may include implementation of storage practices to minimize exposure of the material to storm water as well as spill prevention and response. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.10.050 Proper Operation and Maintenance.

The recipient of a Storm Water Construction Activity Permit (the Permittee) shall install the erosion and sediment control measures required by the approved Storm Water Pollution Prevention Plan before commencing any construction activity on the site to which the Plan applies or at such times indicated in the Plan. The erosion and sediment control measures shall be properly installed and maintained in accordance with the Permit, the manufacturers' specifications, and good engineering practices. The Permittee shall maintain such measures on

the site until the City accepts the termination of the Permit pursuant to Section 3.10.030(G). (Ord.2011-2, dated 3/22/11)

13.10.060 Inspection and Entry.

The Permittee shall allow any authorized employees and representatives of the City, representatives of the State of Utah Division of Water Quality, and representatives of the EPA, to enter the site to which a Permit applies at any time and to inspect the erosion and sediment control measures maintained by the Permittee. The Permittee shall also allow inspection of any records pertaining to the conditions of the Permit. See Section 13.09.060 for further information on inspection authority. (Ord.2011-2, dated 3/22/11)

13.10.070 Revocation or Suspension of Storm Water Construction Activity Permit.

- A. **Revocation or Suspension.** A Storm Water Construction Activity Permit may be revoked or suspended by the City upon the occurrence of any one of the following events:
1. Failure of a Permittee to comply with the Plan or any condition of the Permit; or
 2. Failure of a Permittee to comply with any provision of this Chapter or any other applicable law, ordinance, rule or regulation related to storm water; or
 3. A determination by the City that the erosion and sediment control measures implemented by a Permittee pursuant to the Plan are inadequate to prevent or minimize, to the maximum extent practicable, the discharge of sediment, debris or other pollutants from the construction site by storm water.
- B. **Notice.** The City shall mail and/or personally deliver a Permittee written notice of noncompliance before revoking or suspending a Permit. The notice shall state the location and nature of the noncompliance and shall also specify what action is required for the Permittee to avoid revocation or suspension of the Permit. The notice shall allow the Permittee a reasonable time to take the necessary corrective action to avoid revocation or suspension of the Permit which time, in the absence of exceptional circumstances, shall not be less than ten (10) nor more than thirty (30) days. The notice shall be mailed to the address listed for the Permittee in the Application. If the Permittee fails to correct the problems identified in the notice during the time specified in the notice, the City may suspend or revoke the Permit by mailing or delivering written notice of the suspension or revocation to the Permittee.
- C. **Exceptional Circumstances.** For purposes of this Section, exceptional circumstances include, but are not limited to, situations which involve a risk of injury to persons, damage to storm drain facilities, or damage to other property or the environment. The City may take any steps the City deems necessary to alleviate any such exceptional circumstances as defined above, and may bill the owner, developer, or contractor

responsible for creating the exceptional circumstances for the cost of alleviating said circumstances.

- D. **Stop Work Order.** A stop work order may be issued upon the revocation or suspension of a Permit, or upon the discovery of work being conducted without a required Permit. The stop work order may be issued by inspectors in the Public Works or Community Development Departments. No construction activity may be commenced or continued on any site for which a Permit has been revoked or suspended until the Permit has been reinstated or reissued.
- E. **Reinstatement.** A Storm Water Construction Activity Permit may be reinstated or reissued upon compliance with all provisions of this Chapter and all Permit conditions, or in the case of a suspension for reasons provided in subsection (A)(3), upon the filing of an amended Storm Water Pollution Prevention Plan which is designed to correct the deficiencies of the original Plan. (Ord.2011-2, dated 3/22/11)

13.10.080 Storm Water Connection Permit.

- A. **Permit Required.** No person shall connect to the City's storm water system, either directly or indirectly, without first obtaining a storm water connection permit from the City.
- B. **When Permit Required.** Any person beginning new construction (development of an undeveloped parcel) or redevelopment (as defined in this Chapter) in the City shall obtain a Storm Water Connection Permit before commencing construction.
- C. **Application.** The applicant for a Storm Water Connection Permit shall submit the following to the City as part of the Building Permit or Subdivision Approval:
1. **Application Form.** A completed application form. Application forms will be available at the City.
 2. **BMP Plan.** A plan incorporating storm water BMPs that meet the requirements of Section 13.09.040.
 3. **Maintenance Plan.** A plan outlining how the applicant will maintain the storm water improvements listed in the application.
 4. **Fee.** A fee in an amount set by resolution of the City Council.
- D. **Review.** The Storm Water Connection Permit application shall be reviewed by the City Engineer or Building Official, or his designee, for respectively subdivision and commercial site plans or private residences.
- E. **Factors.** A Storm Water Connection Permit application will be approved if:

1. The application complies with applicable City ordinances and policies.
 2. The application complies with the Pleasant View City Storm Water Master Plan.
 3. The proposed connection incorporates effective Best Management Practices.
 4. The proposed connection does not introduce pollutants into the storm water system.
 5. The proposed connection does not create a safety hazard.
 6. The proposed connection does not negatively affect the integrity of the storm water system infrastructure.
 7. The proposed connection does not endanger the City's drinking water.
 8. The applicant has submitted a maintenance plan ensuring the proper maintenance and upkeep of the applicant's connection and on-site storm water improvements.
- F. **Failure.** Failure to construct or maintain storm water improvements in accordance with an approved Storm Water Connection Permit shall be a violation of this Chapter.
- G. **As-Builts.** Any person connecting to the storm water system shall provide the City's Storm Water Utility with "as-built" plans showing the details and the location of the connection and all system extensions. The plans shall be in a format that is acceptable to the City.
- H. **Discharge Rate.** Connections to the storm water system shall be designed so that the discharge to the storm water system meets the requirements found in the Development, Design, and Construction Standards.
- I. **Exempt Connections.** The following connections to the storm water system are exempt from the permitting requirements of this section:
1. Connections from single family residences, provided that the runoff from the residences is handled according to a plat or site plan approved by the City. However, any person desiring to use a basement pump, foundation drain, or other related fixture directly or indirectly connecting to the storm sewer system must obtain a Storm Water Connection Permit.
 2. Connections made by the City. (Ord.2019-1, dated 2/12/19; prior code: Ord.2011-2, dated 3/22/11)

13.10.090 Violations and Enforcement.

- A. The violation of any of the provisions of this Chapter shall be a Class B misdemeanor. Each day that a violation occurs shall constitute a separate offense.
- B. Violators of this Chapter are also subject to any penalties that may be imposed by the State of Utah, under the authority of the Utah Water Quality Act, Title 19, Chapter 5 of the Utah Code.
- C. In addition to any criminal fines and/or penalties which may be assessed for a violation of this Chapter, the City shall have the right to issue a stop work order or to install and/or maintain appropriate erosion and sediment control measures on any site which is required to have such measures in the event that construction activity is commenced or continued without such measures having been installed as required by this Chapter. The City shall have the right to have such measures installed or maintained by City personnel or to hire a private contractor to perform such work and the contractor and/or the property owner shall be liable for any and all expenses related to performing such work plus a 25% penalty charge. The City may assess said charges against the bond posted by the contractor and/or property owner.
- D. Inasmuch as they are applicable, the City may utilize the same enforcement procedures as outlined in Section 13.09.080 of the Pleasant View City Code to enforce the provisions of this Chapter.
- E. Violators of this Chapter may also be subject to prosecution, fines and penalties from the State of Utah and the United States EPA. (Ord.2011-2, dated 3/22/11)

13.10.100 Exemptions.

The following activities are exempt from the requirements of this Chapter:

- A. Actions by a public utility, the City, or any other entity to remove or alleviate an emergency condition, restore utility service, reopen a public thoroughfare to traffic, or otherwise protect public health and safety and welfare.
- B. Bona fide agricultural and farming operations which constitute the principal use of any lot or tract of ground located within the City and which meet the requirements of the zoning code of the City. (Ord.2011-2, dated 3/22/11)

13.10.110 Compliance with Federal and State Law.

Nothing contained in this Chapter is intended to relieve any person or entity from any obligation to comply with applicable federal and state laws and regulations pertaining to clean water and/or storm water runoff. (Ord.2011-2, dated 3/22/11)

Blank Page

Chapter 13.12 - Culinary Water

13.12.010 Regulations and Specifications. All new residences, business, etc. that are located within 500 feet of the existing municipal water system or is close enough in the opinion of the city council after recommendation by the city engineer be required to connect to the municipal water system for culinary water and for adequate fire protection. Such culinary water connections shall comply with the regulations and specifications of, and shall be approved by, the city council and city engineer. (Res. 93-I, 6/22/1993)

13.12.020 Drilling of New Water Wells.

A. The city “protests” all new well applications within the corporate limits to the minimum extent that the city might retain control of the culinary water sources within the city. Wells for stock watering and irrigation only could be considered an allowable use. The reasons for the “protest” are:

1. When the property is later desired or required to be connected to the municipal culinary water system, it is sometimes very difficult to determine with total certainty that a “cross connection” does not exist and cross connections are a violation of the state laws.
2. A cross connection, if discovered can also jeopardize the municipal systems ranking as an approved system.
3. If a private well is approved and an extension of the municipal system is later needed in that area, participation in the proposed extended system generally does not receive the support of those people that already have their own private systems.
4. Private wells do not generally have sufficient volume or pressure to furnish adequate flow for fire fighting.
5. The State of Utah recently adopted the new “Drinking Water Source Protection Program” and its very stringent new regulations and controls. (Res 93-H, 6/22/93)

13.12.030 Establishment of the Pleasant View City Water Department.

A. Pleasant View City, Utah approved the purchase of a water system from Pleasant View Culinary Water Association pursuant to an Agreement of Purchase and Sale, dated as of April 25, 1989; and

B. On April 25, 1989 Pleasant View City approved the issuance and sale of its Water Revenue Bonds, Series 1989A and its Water Revenue Bonds, Series 1989B (the “Series 1989 Bonds”) for the purpose, among other things, of paying the purchase price of the System; and

C. The Series 1989B Bonds are being purchased by the State of Utah, Department of Health, Division of Environmental Health, Utah Safe Drinking Water Committee (the “State”); and

D. The State has requested that Pleasant View City adopt rules and regulations for the System before the State purchases the Series 1989B Bonds; and

E. Pleasant View City desires to adopt rules and regulations for the Water System. Therefore, on May 1, 1989 the City Council of the City of Pleasant View, Utah adopted rules and regulations for the Pleasant View Water Department. (Ord. 89-3, 5/1/89)

13.12.040 Water Department and System. The water department of the city is hereby created. It shall administer the operation and maintenance of the water system of the city. (Ord. 89-3, 5/1/89)

13.12.050 Superintendent. There is hereby created the position of superintendent of the water department.

A. Duties of the Superintendent. The superintendent of the water system shall manage and supervise the municipal water system pursuant to the provisions of this part and pursuant to resolutions, rules and regulations adopted by the governing body from time to time prescribing his powers and duties and directing the manner and frequency with which he shall make reports to the mayor relating to the water system. All of the functions and activities of the superintendent shall be carried on under the direction of the water superintendent. (Ord. 89-3, 5/1/89)

13.12.060 Application for Water Connection. Any person, other than a subdivider or developer seeking multiple connections, who desires or is required to secure a new connection to the municipal water system, shall file with the water department for each such connection a written and signed connection application. (See appendix 1 of Title 13. (Ord. 89-3, 5/1/89))

13.12.070 Application for Water Connection by Subdivider. Whenever a subdivider or developer desires or is required to install water connections and extensions for a subdivision or development, the subdivider or developer shall enter into a written extension agreement which shall constitute an application for permission to make the extensions and connections and an agreement specifying the terms and conditions under which the water extensions and connections shall be made and the payments that shall be required. (Ord. 89-3, 5/1/89)

13.12.080 Application for Water Service. Any person who desires or is required to secure water service when such service is available from the municipal water system, shall file with the water department a written application and agreement for the service which shall be in substantially the form shown as appendix 2 of Title 13. (Ord. 89-3, 5/1/89)

13.12.090 Non-Owner Applicants Agreement of Owner. Applications for water service made by the tenant of an owner must in addition to the above requirements be guaranteed by an agreement signed by the owner of the premises or his duly authorized agent in substantially the form shown as appendix 3 of Title 13. (Ord. 89-3, 5/1/89)

13.12.100 Rates and Connection Fee.

A. The rates, penalty fee for delinquency in payment, connection fee, reservoir fee, inspection fee and other charges incidental to connection and services from the municipal water system shall be fixed from time to time by resolution enacted by the governing body. The governing body may from time to time promulgate rules for levying, billing, guaranteeing and collecting charges for water services and all other rules necessary for the management and control of the water system. Rates for services furnished shall be uniform with respect to each class or classes of service established or that may hereafter be established. (Ord. 89-3, 5/1/89)

B. Residential and Commercial Rates

DEFAULT WATER RATES:

base rate.....	\$18.75
0 to 6,000 gallons	\$ 1.25 per 1,000 gallons
6,001 to 12,000	\$ 2.25 per 1,000 gallons
12,001 to 20,000	\$ 3.25 per 1,000 gallons
20,001 to 84,000	\$ 4.25 per 1,000 gallons
84,001+ gallons	\$ 7.00 per 1,000 gallons

SCHOOL WATER RATES:

base rate.....	\$18.75
0 to 30,000 gallons	\$ 2.50 per 1,000 gallons
30,001 to 250,000	\$ 3.20 per 1,000 gallons
250,000+ gallons	\$ 3.50 per 1,000 gallons

NON-SECONDARY WATER USERS RATES

(only during the months of April through September):

base rate.....	\$18.75
0 to 6,000 gallons	\$ 1.25 per 1,000 gallons
6,001 to 84,000	\$ 2.25 per 1,000 gallons
84,001+ gallons	\$ 7.00 per 1,000 gallons

BULK WATER

Bulk water\$ 7.00 per 1,000 gallons
 (Res 2016-C, dated 1/26/16, Res 2014-A, dated 3/25/14 and adopted 7-25-06;
 prior codes: Res 2004-P, 9/07/04)

WATER SHUT-OFF FEE:

Water Shut-off Fee (request by resident).....	\$25.00
Water Shut-off Notice Fee.....	\$25.00

LATE FEE ASSOCIATED WITH WATER SHUT-OFF NOTICE:

A late fee associated with sending the "Water Shut-Off Notice" will be automatically charged to any late utility account in the amount of \$10.00. (Res.99-G, 9/14/99)

WATER CONNECTION FEES:

Culinary Water Impact Fee \$see charts below

The Maximum Impact Fee per ERC is based on Service Size and its Ratio

Year	Maximum Impact fee per ERC
2017	\$3,460.18
2018	\$3,496.05
2019	\$3,547.95
2020	\$3,601.17
2021	\$3,656.09
2022	\$3,712.26
2023	\$3,768.86
2024	\$3,825.98
2025	\$3,842.62
2026	\$3,859.31
2027	\$3,876.04
2028	\$3,892.94
2029	\$3,910.02
2030	\$3,927.28
2031	\$3,944.76
2032	\$3,962.30
2033	\$3,979.82
2034	\$3,997.46
2035	\$4,015.23
2036	\$4,033.16

Service Size (in)	Ratio
Residential*(per unit)	1
Apartments (per unit)	0.75
Commercial – 1 ½”	1.5
Commercial – 2”	2
Commercial – 3”	6.4
Commercial – 4”	10

**Residential includes single family, duplex, townhome, condominium, and all other multi-family dwellings, except apartments.*

(Ord.2017-15, dated 10/10/17 effective date 1/8/2018; prior codes: Ord.2009-11, dated 8/25/09; Ord.2001-21, 12/11/01 & Res.99-M, 12/14/99)

WATER METER SURCHARGE

Monthly Surcharges for water meter replacements:

Water Connection Sizes	Monthly Surcharges
3/4"	\$.00
1"	\$ 1.10
1 2"	\$ 2.50
2"	\$13.50
3"	\$16.00
4"	\$23.00
6"	\$41.00
8"	\$62.79

(Res.98-C, 2/10/98)

For developments where a master water meter replaces individual water meters for city assessing usage, the water meter surcharge for meter replacement may be adjusted by the city treasurer using the following formula:

Cost of master meter replacement minus \$54.00 per unit divided by 120 months equals the monthly meter charge. (Res. 96-B, dated 2/27/96)

WATER FROM FIRE HYDRANTS

Those requesting water usage from fire hydrants will be subject to the following fees:

Fire Hydrant Meter Deposit\$200.00
 (To be refunded when the fire hydrant meter is returned to the Pleasant View City Water Department in the same condition as it was originally rented. If the fire hydrant meter is to be fixed from its original condition the deposit will be applied to the costs of repair and then any balance from the deposit will be refunded.)

Fire Hydrant Meter Rental (minimum charge).....\$25.00 per week
 (Res.97-C, 4/8/97)

WATER BILL ADJUSTMENT POLICY

This policy is designed to correct problems that may exist when there are extraordinary water charges because of unforeseen circumstances. IE: leak during extended periods of time when meters are not read, possible meter malfunction, or some other unexplainable event.

After an audit by the staff, including a test or replacement of the meter, relief may be granted by the City Water Superintendent in accordance with the guidelines as stated below. It shall be the burden of the petitioner to prove that a malfunction or other unexplainable circumstance has occurred. The City Water Superintendent may only grant an adjustment once every five years. Petitioners may appeal the Water Superintendent's decision to the City Council.

Initial Water Bill is \$10.00 (base rate) or less..... No Adjustment
 Initial Water Bill is greater than \$10.00 (base rate)..... $B = k(b-nu)+nu$

Where: B = Adjusted Water Bill
 k = Adjustment Factor

b = Initial Water Bill
n = Number of Months
u = Average Bill During last 12 months

Adjustment Factor = 0.25
 (Policy 6/20/00 and Res.2000-N, 8/22/00(base rate change))

13.12.110 Special Rates. The governing body may from time to time fix by agreement or resolution special rates and conditions for users using exceptionally large amounts of water service or making use of the water system under exceptional circumstances, upon such terms and conditions as they may deem proper. (Ord 89-3, 5/1/89)

13.12.120 Board of Equalization, Rates, and Rebates. The governing body is hereby constituted a board of equalization of water rates to hear complaints and make corrections of any assessments deemed to be illegal, unequal, or unjust. They may, if they see fit, rebate all or any part of the water bill of any indigent person. (Ord 89-3, 5/1/89)

13.12.130 Use Without Payment Prohibited. It shall be unlawful for any person by himself, family, servants, or agents to utilize the municipal water or sewer system without paying therefor, as herein provided, or without authority, to open any fire hydrant, stopcock, valve, or other fixtures attached to the system of water supply unless it is done pursuant to proper application, agreement or resolution. It shall be unlawful to injure, deface, or impair any part or appurtenance of the water or sewer system, or to cast anything into any reservoir or tank belonging to the water system. (Ord 89-3, 5/1/89)

13.12.140 Delinquency-Discontinuance of Service.

A. The city's culinary water collection system, sanitary system, storm sewer system, and solid waste collection system are interrelated services that are, and of right ought to be, part of a unified city plan to provide for the health, safety and welfare of the city and its residents in an environmentally responsible manner.

B. The city shall mail a written statement to each user of the water services once each month or such other regular intervals as the city council shall direct. The statement shall separately specify the amount of the bill and the place of payment and date due.

C. If any person fails to pay the water and/or any combination of city utility charges by the 10th day of the month following the date due, a penalty will be charged on the unpaid balance. If the balance remains unpaid for 30 days of the date due, under the direction of the utility superintendent the customer may be given notice in writing of intent to discontinue the water service to the customer unless the customer pays the bill in full ten days from the date of notice. The customer will be charged a fee for the notice given of the intent to discontinue the water service as set by resolution of the governing body.

D. If the water service is thereafter discontinued for failure to make payment, then before the water service to the premises shall again be provided, all delinquent charges must have been paid to the city or arrangements made for their payment in a manner satisfactory to the city. In the event water is turned off for nonpayment of charges, then before the water service to the premises shall again be provided, the customer shall pay, in addition to all delinquent water charges, such extra charge for turning the water on as established by resolution of the governing body.

E. Furthermore, in addition to such payments and penalties, a delinquent customer may be required to make and file a new application and deposit if the previous deposit has theretofore been applied to the payment of delinquent bills. The utility superintendent is

hereby authorized and empowered to enforce the payment of all delinquent water charges by an action at law in the name of the city.

(Ord.2010-16, dated 6/8/10 and Ord 89-3, 5/1/89) (Also see fee schedule adopted annually)

13.12.150 Turning on Water after Being Turned off Prohibited. It shall be unlawful for any person, after the water has been turned off from the premises for nonpayment of water charges or other violation of the ordinances, rules, regulations, or resolutions pertaining to the water supply, to turn on or allow the water to be turned on or used without authority from the superintendent or recorder. (Ord 89-3, 5/1/89)

13.12.160 Separate Connections. It shall be unlawful for two or more families or service users to be supplied from the same service pipe, connection or water meter unless special permission for such combination usage has been granted by the governing body and the premises served are owned by the same owner. In all such cases, a failure on the part of any one of the users to comply with this section shall warrant a withholding of a supply of water through the service connections until compliance or payment has been made, and in any event, the property owner shall be primarily liable to the city for all water services utilized on all such premises. Nothing herein shall be deemed to preclude the power of the city to require separate pipes, connections, or meters at a subsequent time. (Ord 89-3, 5/1/89)

13.12.170 Unauthorized Users. It shall be unlawful for any water service user to permit any person from other premises or any unauthorized person to use or obtain water services regularly from his premises or water facilities, either outside or inside his premises. (Ord 89-3, 5/1/89)

13.12.180 Pipes to Be Kept in Good Repair. All users of water services shall keep their service pipes and connections and other apparatus in good repair and protected from frost at their own expense. No person except under the direction of the water superintendent shall be allowed to dig into the street for the purpose of laying, removing or repairing any service pipe. (Ord 89-3, 5/1/89)

13.12.190 Quality of Service Pipe.

A. All service and other pipe used in conjunction with the water services of the city shall be of such material, quality, and specifications as the governing body may from time to time by resolution provide, and shall be installed at such distances below ground as may be specified by regulations relating to the water department. All work, alterations, or extensions affecting water pipes shall be subject to the acceptance of the water superintendent, and no connections with any water mains shall be made without first obtaining a permit therefor from the recorder/clerk.

B. No consumer shall be permitted to conduct water pipes across lots or buildings to adjoining premises without permission from the water superintendent and subject to such requirements relating to controls as may be imposed by him. (Ord 89-3, 5/1/89)

13.12.200 Faulty Equipment. It shall be unlawful for any water user to:

A. Waste water.

B. Allow it to be wasted by stops, taps, valves, leaky joints or pipes, or to allow tanks or watering troughs to leak or overflow.

C. Wastefully run water from hydrants, faucets, or stops or through basins, water closets, urinals, sinks or other apparatus.

D. Use the water for purposes other than for those which he has applied, or to use water in violation of the rules and regulations for controlling the water supply. (Ord 89-3, 5/1/89)

13.12.210 Sprinkling Vehicles. Vehicles for sprinkling shall be regulated and controlled by the water department through the superintendent of the water department. (Ord 89-3, 5/1/89)

13.12.220 Department to Have Free Access. The water superintendent and his agents shall at all ordinary hours have free access to any place supplied with water services from municipal system for the purpose of examining the apparatus and ascertaining the amount of water service being used and the manner of its use. (Ord 89-3, 5/1/89)

13.12.230 Non-liability for Damages. The city shall not be liable for any damage to a water service user by reason of stoppage or interruption of his or her water supply service caused by fires, scarcity of water, accidents to the water system or its mains, or which occurs as the result of maintenance and extension operations, or from any other unavoidable cause. This section shall not be construed to extend the liability of the city beyond that provided in the Governmental Immunity Act. (Ord 89-3, 5/1/89)

13.12.240 Water Not Supplied for Motors, Syphons, Etc. No water shall be supplied from the pipes of the municipal water system for the purpose of driving motor, syphon, turbine, or other wheels, or any hydraulic engines, or elevators, or for driving or propelling machinery of any kind whatsoever, nor shall any license be granted or issued for any such purpose except by special permission of the governing body. (Ord 89-3, 5/1/89)

13.12.250 Sprinklers.

A. It shall be unlawful for any person to use such number of outlets simultaneously or to use such sprinkler or combinations of sprinkler or outlets as will in the opinion of the governing body materially affect the pressure or supply of water in the municipal water system or any part thereof, and the governing body may from time to time, by resolution, specify combinations or numbers of outlets which may have such effect.

B. The governing body shall, after determining that such improper use exists, notify the affected water user or the owner of the premises whereon such use occurs of such determination in writing, order such use discontinued and advise that such continued usage constitutes a violation of this part. (Ord 89-3, 5/1/89)

13.12.260 Scarcity of Water. In time of scarcity of water, whenever it shall in the judgment of the mayor and the governing body be necessary, the mayor shall by proclamation limit the use of water to such extent as may be necessary. It shall be unlawful for any person, his family, servants, or agents, to violate any proclamation made by the mayor in pursuance of this part. (Ord 89-3, 5/1/89)

13.12.270 Waste of Water.

A. Users of water from the municipal water system shall not permit water to continue to run wastefully and without due efforts to conserve water. If, in the judgment of the water superintendent or of any of the officers of the city, a user of municipal water engages in practices which result in the needless waste of water and continues so to do after reasonable notice to discontinue wastefulness has been given, the superintendent or any officer may refer the matter to the governing body.

B. The governing body may thereupon consider terminating the right of the individual to use culinary water. If it elects to consider the matter of termination, it shall give notice to the water user of the intention to terminate his water connection at least five days prior to the meeting of the governing body at which termination of water service is to be considered. The notice shall inform him of the time and place of the meeting and of the charges which lead to the consideration of the termination.

C. A water user whose right to utilize municipal water is being reviewed shall have opportunity to appear with or without counsel and present his reasons why his water service should not be discontinued.

D. After due hearing, the governing body may arrive at a determination. If the determination is to discontinue the wasteful water user's service connection, it shall notify him of the decision and of the period during which the service will remain discontinued. (Ord 89-3, 5/1/89)

13.12.280 Water Meters.

A. The city council may by order require that all structures, dwelling units, establishments and person using water from the municipal water system have such number of water meters connected to their water system as are necessary in the judgment of the superintendent to adequately measure use and determine water charges to the respective users.

B. Meters will be furnished by the city upon application for a connection, and upon payment of such connection fees and other costs as may be established by the governing body from time to time by resolution.

C. Meters shall be deemed to be and remain the property of the city. Whenever a dispute between superintendent and the property owner arises as to the appropriate number of meters to be installed on any premises, the matter shall be heard and determined by the governing body after due notice in writing to the parties involved.

D. The superintendent shall cause meter readings to be taken regularly and shall advise the recorder/clerk thereof for the purpose of recording the necessary billings for water service.

E. Meters may be checked, inspected or adjusted at the discretion of the city, and they shall not be adjusted or tampered with by the customer. Meter boxes shall not be opened for the purpose of turning on or off the water except by an authorized representative of the city unless special permission is given by the city through its representatives to the customer to do so.

F. If a customer submits a written request to the superintendent to test his water meter, the city may, if under the circumstances it deems it advisable and in its discretion, order a test of the meter measuring the water delivered to such customer. If such request is made within twelve months after the date of the last previous test, the customer may be required to pay the cost of such test. If the meter is found in such test to record from 97% to 103% of accuracy under methods of testing satisfactory to the governing body, the meter shall be deemed to accurately measure the use of water.

G. If the city's meters fail to register at any time, the water delivered during the period of failure shall be estimated on the basis of previous consumption during a period which is not questioned. In the event a meter is found to be recording less than 97% or more than 103% of accuracy, the city shall make such adjustments in the customer's previous bills as are just and fair under the circumstances.

H. All damages or injury to the lines, meters or other materials of the city on or near the customer's premises caused by any act or neglect of the customer shall in the discretion of the city be repaired by and at the expense of the customer, and the customer shall pay all costs and expenses, including a reasonable attorney fee, which may arise or accrue to the city through its efforts to repair the damage to the lines, meters or to other equipment of the department or collect such costs from the customer.

I. The council may provide a higher rate for water users without a meter than for users having a meter. (Ord 89-3, 5/1/89)

13.12.290 Permits for Installation. It shall be unlawful for any person to lay, repair, alter or connect any water line to the municipal culinary water system without first having received a construction permit from the office of the recorder/clerk or from the water superintendent. (Ord 89-3, 5/1/89)

13.12.300 Applications for Installation Permit.

A. Applications for permits to make water connections or other alteration or for laying or repairing lines connected directly or indirectly to the municipal water system must be made in writing by a licensed plumber, his authorized agent, or by the owner of the premises who shall describe the nature or the work to be done for which the application is made. The application shall be granted if the superintendent determines that,

1. The connection, repair, alteration or installation will cause no damage to the street in which the water main is laid, or that it will not be prejudicial to the interests of persons whose property has been or may thereafter be connected to the water main.

2. The connection conforms to the ordinances, regulations, specifications and standards of materials required by the city.

All connections, alterations or installations shall be to the line and grade designated by the water superintendent.

B. Fees for permits or for inspection services shall be of such amounts as the governing body shall from time to time determine by resolution. (Ord 89-3, 5/1/89)

13.12.310 Moving or Replacement of Water Lines. In the event that the city in its sole discretion determines that any water line of the city must be moved or replaced, the city shall bear that portion of the cost of such move or replacement which applies to main lines up to the property line of the customer. The cost of reconnecting such new line or lines from the house of the customer to his property line shall be borne by the customer. (Ord 89-3, 5/1/89)

13.12.320 When Permits Shall Not Be Issued. Permission to connect with the municipal water system shall not be given unless the plumbing in the house or building to be connected meets the provisions of the building and plumbing codes of the city. (Ord 89-3, 5/1/89)

13.12.330 Discontinuance of Service. Any customer desiring to discontinue service shall notify the city in writing of such fact at least ten days before the date when such service shall be discontinued. On giving such written notice, the customer shall not be responsible for water bills incurred after the date specified in the notice. Any credit balance in favor of

the customer as a result of an advance payment of bills or a deposit will be refunded upon discontinuance of service. (Ord 89-3, 5/1/89)

13.12.340 Fire Hydrants. Water for fire hydrants will be furnished free of charge by the city. Installation and repairs on such hydrants shall be at the expense of the city and shall be made under the direction of the city. All customers shall grant the city, upon demand, a right-of-way or easement to install and maintain such hydrants on their premises if the city concludes that hydrants shall be so installed for the protection of the residents of the city. (Ord 89-3, 5/1/89)

13.12.350 Extension of Water Mains Within the city. Any person or persons, including any subdivider, who desires to have the water mains extended within the city, and is willing to advance the whole expense of such extension and receive the return of an agreed portion thereof, as hereinafter provided, may make application to the governing body by petition. The petition shall contain a description of such proposed extension accompanied by a map showing the location of the proposed extension together with an offer to advance the whole expense thereof, which cost shall be verified by the water superintendent. The governing body may grant or deny the petition as in its discretion seems best for the welfare of existing water users in the city. (Ord 89-3, 5/1/89)

13.12.360 Cost of Extensions Determined. Upon the receipt of such petition and map and before the petition is granted, the governing body shall obtain from the water superintendent a certified statement showing the whole cost of expense of making such extension. (Ord 89-3, 5/1/89)

13.12.370 Amount of Cost to Be Deposited with Recorder. If the governing body grants the petition, the amount of the cost of making the extension, as certified by the superintendent shall be deposited with the recorder/clerk before any work shall be done on such extension. The deposit shall be made within 30 days, or such other time as the governing body shall indicate, after the granting thereof. (Ord 89-3, 5/1/89)

13.12.380 Return of Any Money - Forfeiture.

A. At the time the governing body decides whether or not to grant petition for an extension, it shall also decide whether or not any portion of the costs is to be refunded and the manner and circumstances under which such refund shall be made or credited to the applicant, his successors or representatives. Such determination shall be duly recorded in writing and a copy thereof furnished to the applicant.

B. In the event any deposit remains unclaimed for a period of five years after the depositor has discontinued water service, the deposit may be forfeited and then transferred to the water utility fund. (Ord 89-3, 5/1/89)

13.12.390 Ownership of Extension. Any such extension shall be deemed the property of the city.

13.12.400 Supply of Water Services to Outside the Municipal Limits. The city may furnish water service from its water system to persons outside the city in accordance with the provision of this part. (Ord 89-3, 5/1/89)

13.12.410 Petition for Service. A. Any person located outside the municipal limits who desires to be supplied with water services from the municipal water system and is willing to pay in advance the whole expense of extending the water system to his property,

including the cost of extending the water main beyond its present location, may make application to the governing body by petition containing:

1. A description of the proposed extension.
2. A map showing the location thereof.
3. An offer to pay the whole expense incurred by the city in providing such extension and to advance such expenses as shall be verified to by the water superintendent. The governing body and the person or persons seeking such extension may enter into an agreement providing in detail the terms under which the extension may be utilized by others in the future and the terms under which all or any portion of the cost of installing such extension may be refunded.
4. An acknowledgment that the city in granting the petition need supply only such water to the petitioner which from time to time the governing body deems beyond the requirements of water users within the municipal limits, and that such extension shall be the property of and subject to the control of the city. (Ord 89-3, 5/1/89)

13.12.420 Extensions May Be Master-Metered. When an extension supplying more than one house or user outside the municipal limits is connected to municipal water mains, the water superintendent may require a master meter to be installed near the point where the connection is to be made to the municipal main. This installation will be at the expense of the persons served by such extension according to the regular rates for meter installation. Responsible parties must agree to pay all bills for water served through the meter at the applicable water rates. (Ord 89-3, 5/1/89)

13.12.430 Cost of Extensions to Be Determined by Water Superintendent. Upon receipt of such petition and map and before the petition is granted, the governing body shall determine what portion, if any, of the extension of the municipal water mains to the municipal limits the city shall construct, and shall obtain from the water superintendent a verified statement showing the whole cost and expense of making such extension. Such costs and expenses shall include administrative and supervisory expenditures of the municipal water department, which shall in no event be deemed to be less than ten percent of the cost of materials and labor. (Ord. 89-3, 1/5/89)

Chapter 13.13 - Culinary Water Cross Connection Control

SECTION 1. CROSS CONNECTION CONTROL-GENERAL POLICY

13.13.110 Purposes of Ordinance

- A. To protect the public drinking water supply of Pleasant View City from the possibility of contamination or pollution by requiring compliance with the Utah State Rules for Public Drinking Water Systems and the Plumbing Code as adopted by the State of Utah, that require cross connection control protection of all public drinking water systems in the State of Utah. Compliance with these minimum safety codes will be considered reasonable diligence for the prevention of contaminants or pollutants which could backflow into the public drinking water system; and,
- B. To promote the reasonable elimination or control of cross connection in the plumbing fixtures and industrial piping system(s) of the customer, as required by the state and plumbing regulations to assure water system safety; and,
- C. To provide for the administration of a continuing program of backflow prevention, which will systematically examine risk and effectively prevent the contamination or pollution of the drinking water system. (Ord.2009-15, dated 10/13/09)

13.13.120 Responsibility: Pleasant View City

- A. Pleasant View City shall be responsible for the protection of the drinking water distribution system from the foreseeable condition leading to the possible contamination or pollution of the drinking water system due to the backflow of contaminants or pollutants into the drinking water supply.
- B. Drinking water system surveys/inspections of the customer's water distribution system(s) shall be conducted or caused to be conducted by individuals deemed qualified by and representing Pleasant View City. Survey records shall indicate compliance with the State of Utah Regulations. All such records will be maintained by Pleasant View City.
- C. Pleasant View City shall schedule and notify in writing, all customers of the need for the periodic system survey to insure compliance with exiting applicable minimum health and safety standards.
- D. Selection of an approved backflow prevention assembly for containment control required at the service entrance shall be determined from the results of the system survey. (Ord.2009-15, dated 10/13/09)

13.13.130 Responsibility: Customer

- A. To comply with this ordinance as a term and condition of water supply and customer's acceptance of service is admittance of his/her awareness and of his/her responsibilities as a water system user.

- B. It shall be the responsibility of the customer to purchase, install, and arrange testing and maintenance of any backflow prevention device/assembly required to comply with this ordinance. Failure to comply with this ordinance shall constitute grounds for discontinuation of service. (Ord.2009-15, dated 10/13/09)

13.13.140 Responsibility: Plumbing Official

- A. The plumbing official's responsibility to enforce the applicable sections of the plumbing code begins at the point of service (downstream or customer side of the meter) and continues throughout the length of the customer's water system.
- B. The plumbing official will review all plans to ensure that unprotected cross connections are not an integral part of the customer's water system. If a cross connection cannot be eliminated, it must be protected by the installation of an air gap or an approved backflow prevention device/assembly, in accordance with the Plumbing Code as adopted by the State of Utah. (Ord.2009-15, dated 10/13/09)

13.13.150 Responsibility: Certified Backflow Technician, Surveyor, or Repair Person

Whether employed by the customer or a utility to survey, test, repair, or maintain backflow prevention assemblies, the Certified Backflow Technician, Surveyor, or Repair Person will have the following responsibilities:

- A. Insuring that acceptable testing equipment and procedures are used for testing, repairing or overhauling backflow prevention assemblies.
- B. Make reports of such testing and/or repairs to the customer and Pleasant View City on a form approved for such use by Pleasant View City within time frames as described by the Division of Drinking Water.
- C. Include the list of materials or replacement parts being used of the reports.
- D. Insuring that replacement parts are equal in quality to parts originally supplied by the manufacturer of the assembly being repaired.
- E. Not changing the design, material or operational characteristics of the assembly during testing, repair or maintenance.
- F. Performing all tests of the mechanical devices/assemblies and shall be responsible for the competence and accuracy of all tests and reports.
- G. Insuring that his/her license is current, the testing equipment being used is acceptable to the State of Utah, and is in proper operating condition.

- H. Being equipped with, and competent to use, all necessary tools, gauges, test tags, and other equipment necessary to properly test, and maintain backflow prevention assemblies.
- I. Tagging each double check valve, pressure vacuum breaker, reduced pressure backflow assembly, and high hazard air gap, showing the serial number date tested and by whom. The certified technician's license number must also be on the tag.
- J. In the case of a customer requiring an assembly to be tested, any currently Certified Backflow Technician is authorized to make the test and report the results to the customer and to Pleasant View City. Any installation repair or relocation shall be done with individuals having appropriate licensure from the department of licensing. (Ord.2009-15, dated 10/13/09)

SECTION 2. DEFINITIONS

13.13.210 Word Usage and Interpretation

In this chapter, the terms, phrases, words and their derivatives shall have the meanings as stated and defined in this section. The word "shall" is always mandatory and not merely directory. Words not defined in this section but defined elsewhere in adopted city codes shall be construed as defined in those codes or ordinances or shall be as commonly defined or used.

Approved Backflow Assembly: An assembly accepted by the Utah State Department of Environmental Quality, Division of Drinking Water, as meeting all applicable specifications or as suitable for the proposed use.

Auxiliary Water Supply: Any water supply on or available to the premises other than the Pleasant View City's culinary water supply will be considered as an auxiliary water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source(s) such as a well, spring, river, stream, etc., or "used waters" or "industrial fluids". These waters may be contaminated or polluted or they may be objectionable and constitute and unacceptable water source over which the City does not have authority for sanitary control.

Backflow: The reversal of the normal flow of water caused by wither backpressure or back siphonage.

Back-Pressure: The flow of water or other liquids, mixtures, or substances from a region of high pressure to a region of lower pressure into the water distribution pipes of a potable water supply system from any source(s) other than the intended source.

Back-Siphonage: The flow or water or other liquids, mixtures, or substances under vacuum conditions into the distribution pipes of a potable water supply system from any source(s) other than the intended source, caused by the reduction of pressure in the potable water system.

Backflow Prevention Assembly: An assembly or means designed to prevent backflow. Specifications for backflow prevention assemblies are contained within the Plumbing Code as

adopted by the State of Utah and in the Cross Connection Control Program for Utah maintained by the Division of Drinking Water.

Contamination: Means a degradation of the quality of the potable water supply by sewage industrial fluids or waste liquids, compounds or other materials that may create a health hazard.

Cross Connection: Any physical connection or arrangement of piping or fixture which **may** allow non-potable water or industrial fluids or other material of questionable quality to come into contact with potable water inside a water distribution system. This would include temporary conditions, such as swing connections, removable sections, four way plug valves, spools, dummy sections of pipe, swivel or change-over devices or sliding multiport tubes or other plumbing arrangements.

Cross Connection Control by Containment: The installation of an approved backflow assembly at the water service connection to any customer's premises where it is physically and economically infeasible to find permanently eliminate or control all actual or potential cross connection within the customer's water distribution system; or, it shall mean the installation of an approved backflow prevention assembly on the service line leading to and supply a portion of a customer's water distribution system; or, it shall mean the installation of an portion of a customer's water system where there are actual or potential cross connections which cannot be affectively eliminated or controlled at the point of the cross connection (isolation).

Cross Connections - Controlled: A connection between a potable water system and a non-potable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

Plumbing Official: The person designated by Pleasant View City, by employment or by contract, with the responsibility for reviewing construction plans and ensuring compliance with applicable codes and regulations. (Ord.2009-15, dated 10/13/09)

SECTION 3. REQUIREMENTS

13.13.310 Policy

A. No water service connection to any premises shall be installed or maintained unless the water supply is protected as required by State laws, regulations, codes, and this ordinance. Service shall be discontinued after due process of written notifications of violation and an appropriate time for voluntary compliance, if:

1. A backflow prevention assembly required by this ordinance for the control of backflow and cross connections is not installed, tested, and maintained, or
2. If it is found that a backflow prevention assembly has been removed or by-passed, or

3. If an unprotected cross connection exists on the premises, or
 4. If the periodic system survey has not been conducted. Service will not be restored until such conditions or defects are corrected.
- B. The customer's system(s) shall be open for inspection at all reasonable times to authorized representatives of Pleasant View City to determine whether cross connections or other structural or sanitary hazards, including violation of this ordinance exist and to audit the results of the required survey (R309.105.12 of the Utah Administrative Code).
 - C. Whenever the City deems a service connection's water usage contributes a sufficient hazard to the water supply, an approved backflow prevention assembly shall be installed on the service line of the identified customer's water system, at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line.
 - D. The type of protective assembly required under subsection 13.13.310 (C) shall depend upon the degree of hazard which exists at the point of cross connection (whether direct or indirect), applicable to local and state requirements or resulting from the required survey.
 - E. All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved assemblies for the purposes described herein at the time of installation and which have been properly maintained shall, except for the inspection and maintenance requirements under subsection 13.13.310 (F), be excluded from the requirements of these rules so long as the City is assured that they will satisfactorily protect the public water system. Whenever the existing assembly is moved from the present location or requires more than minimum maintenance, or when the City finds that the operation of the assembly constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting all local and state requirements.
 - F. It shall be the responsibility of the customer at any premises where backflow prevention assemblies are installed to have certified surveys, inspections, and operational tests made at least once per year at the customer's expense. In those instances where the City deems the hazard to be great, certified surveys/inspections and tests at more frequent intervals may be required. It shall be the duty of the City to see that the test are made according to the standards set forth by the State Department of Environmental Quality, Division of Drinking Water.
 - G. All backflow prevention assemblies shall be tested within ten (10) working days of installation.
 - H. No backflow prevention assemblies shall be installed so as to create a safety hazard. (Example: Installed over an electrical panel, steam pipes, boilers, or above ceiling level). (Ord.2009-15, dated 10/13/09)

13.13.320 Violation of this Policy

If a violation of this ordinance exists and if there has not been any corrective action taken by the customer within ten (10) days of the written notification of the deficiencies noted within the survey or test results, then the City shall deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the condition(s) in conformance with all State and local regulations and statutes relating to plumbing, safe drinking water suppliers, and this ordinance. Water service may be discontinued immediately without ten (10) days written notice if an immediate threat to the water supply exists. (Ord.2009-15, dated 10/13/09)

Chapters: 13.14 – Drinking Water Source Protection Ordinance

13.14.010 Short title and Purpose.

A. This ordinance shall be known as the “Drinking Water Source Protection Ordinance.”

B. The purpose of this ordinance is to ensure the provision of a safe and sanitary drinking water supply for the City by the establishment of drinking water source protection zones surrounding the wellheads for all wells which are the supply sources for the City water system and by the designation and regulation of property uses and conditions which may be maintained within such zones. (Ord.2015-3, dated 3/24/15)

13.14.020 Definitions. When used in this ordinance, the following words and phrases shall have the meanings given in this Section:

A. Design standard – means a control that is implemented by a potential contamination source to prevent discharges to the ground water. Spill protection is an example of a design standard.

B. Land management strategies – means zoning and non-zoning controls which include, but are not limited to, the following: zoning and subdivision ordinances, site plan reviews, design and operation standards, source prohibitions, purchase of property and development rights, public education programs, ground-water monitoring, household hazardous waste collection programs, water conservation programs, memoranda of understanding, written contracts and agreements, and so forth.

C. Pollution source – means point source discharges of contaminants to ground water or potential discharges of the liquid forms of “extremely hazardous substances” which are stored in containers in excess of “applicable threshold planning quantities” as specified in SARA Title III. Examples of possible pollution sources include, but are not limited to, the following: storage facilities that store the liquid forms of extremely hazardous substances, septic tanks, drain fields, Class-V underground injection wells, landfills, open dumps, landfilling of sludge and septage, manure piles, salt piles, pit privies, and animal feeding operations with more than ten animal units. The following clarify the definition of pollution source:

1. Animal feeding operation – means a lot or facility where the following conditions are met: animals have been or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12 month period; and crops, vegetation forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. Two or more animal feeding operations under common ownership are considered to be a single feeding operation if they adjoin each other. If they use a common area, or if they use a common system for the disposal of wastes.

2. Animal unit – means a unit of measurement for any animal feeding operation calculated by adding the following numbers; the number of slaughter and feeder cattle multiplied by 1.0, plus the number of mature dairy cattle multiplied by 1.4, plus the number of swine weighing over 55 pounds multiplied by .04, plus the number of sheep multiplied by .01, plus the number of horses multiplied by 2.0.

3. Extremely hazardous substances – means those substances which are identified in the Sec. 302(EHS) column of the “TITLE II LIST OF LISTS – Consolidated List of Chemicals Subject to Reporting Under SARA Title III,” (EPA 560/4-91-011).

D. Potential contamination source – means any facility or site which employs an activity or procedure which may potentially contaminate ground water. A pollution source is also a potential contamination source.

E. Regulatory agency – means any governmental agency with jurisdiction over hazardous waste as defined herein.

F. Sanitary landfill – means a disposal site where solid wastes, including putrescible wastes, or hazardous wastes, are disposed or on land by placing earth cover thereon.

G. Septic tank/drain-field systems – means a system that is comprised of a septic tank and a drain-field which accepts domestic wastewater from buildings or facilities for subsurface treatment and disposal. By their design, septic tank/drain-field system discharges cannot be controlled with design standards.

H. Wellhead – means the upper terminal of a well, including adapters, ports, seals, valves and other attachments. (Ord.2015-3, dated 3/24/15)

13.14.030 Establishment of drinking water source protection zones. There is hereby established use districts to be known as zones one, two, three, and four of the drinking water source protection area identified and described as follows:

A. **Zone one** is the area within a 100-foot radius from the wellhead.

B. **Zone two** is the area within a 250-day ground-water time of travel to the wellhead, the boundary of the aquifer(s) which supplies water to the ground-water source, or the ground water divide, whichever is closer.

C. **Zone three** (waiver criteria zone) is the area within a 3-year ground-water time of travel to the wellhead or margin of the collection area, the boundary of the aquifer(s) which supplies water to the ground-water source, or the ground-water divide, whichever is closer.

D. **Zone four** is the area within a 15-year ground-water time of travel to the wellhead, the boundary of the aquifer(s) which supplies water to the ground-water source, or the ground-water divide, whichever is closer. (Ord.2015-3, dated 3/24/15)

13.14.040 Permitted uses. The following uses shall be permitted within drinking water source protection zones:

A. Any use permitted within existing agricultural, single family residential, multi-family residential, and commercial districts so long as uses conform to the rules and regulations of the regulatory agencies.

B. Any other open land use where any building located on the property is incidental and accessory to the primary open land use. (Ord.2015-3, dated 3/24/15)

13.14.050 Prohibited uses. The following uses or conditions shall be and are hereby prohibited within drinking water sources protection zones, whether or not such use or

condition may otherwise be ordinarily included as a part of a use permitted under Section 4 of the ordinance.

A. **Zone one** – The location of potential contamination sources as defined herein, unless they are controlled with design standards.

B. **Zone two** – the location of pollution sources as defined herein, unless their contaminated discharges are controlled with design standards.

C. **Zones three and four** – the location of potential contamination sources unless they are controlled through land management strategies. (Ord.2015-3, dated 3/24/15)

13.14.060 Administration. The policies and procedures for administration of any source protection zone established under this ordinance, including without limitation those applicable to nonconforming uses, exceptions, enforcement, and penalties, shall be the same as provided in the existing zoning ordinance for the City of Pleasant View, as the same is presently enacted or may from time to time be amended. (Ord.2015-3, dated 3/24/15)

13.14.070 Conflicting Provision. The provisions of this ordinance apply, unless otherwise indicated in a specific wellhead or water source protection plan adopted by the City. If there are instances of conflicting provisions between this ordinance, and an adopted water source protection plan, the more stringent standard shall apply. (Ord.2015-3, dated 3/24/15)

Chapter 13.16 - Secondary Water

13.16.010 Connection to Secondary Water System. It is unlawful for the owner of any residential or agricultural property, which has access to a secondary water system for irrigation of such property, to fail to connect to such secondary water system, after the 25th day of August, 1992; provided, however, that any premises for which application has been made to the management of any available secondary water system for connection, and necessary fees paid, before the 25th day of September, 1992, will be allowed ninety additional days after the 25th day of September, 1992, within which to complete such connection. (Ord 92-10, 8/25/92)

13.16.020 Prohibited Irrigation Systems. It is unlawful for any person to install, construct or use any irrigation system which is so constructed that water may pass from secondary water system into any culinary water pipe within the corporate limits of the city. (Ord 92-10, 8/25/92)

13.16.030 Use of Culinary Water for Irrigation Prohibited. It is unlawful for any person, whether owner or occupant, of any residential or agricultural property, which can be served by secondary water system to use culinary water from the city water works for the purpose of irrigating any yard, garden or lawn, after the 25th day of August, 1992; provided, however, that if application for water connection has been made to the management of any available secondary water system, for connection, and the necessary fees paid, before the 25th day of September, 1992, that this section will not be applicable to use of culinary water on such premises pending completion of installation of such connection to secondary water system before the 25th day of December, 1992. (Ord 92-10, 8/25/92)

It is unlawful for any person, whether owner or occupant, or any residential or agricultural property that does not have access to secondary water, to utilize culinary water for the purpose of irrigation any yard, garden or lawn, or other landscape purposes after the 15th of October through the 15th of April. (Ord 2014-5, dated 7/8/14)

13.16.040 Building Permits Issued. Building permits for individual lots, or lots in subdivisions will be given only when the lot has secondary water available to it. Previous agreements with the city of Pleasant View will be recognized as possible exceptions. (Ord 92-10, 8/25/92)

13.16.050 Violation-Penalty. Any person violating any provision of this chapter is guilty of a misdemeanor and shall be punishable as provided by law. (Ord 92-10, 8/25/92)

Chapter 13.20 - Land Drains

13.20.010 Homeowner's Responsibility. The homeowners shall be responsible for the installation and maintenance of the land drain system of which is located on the homeowner's property. Installation:

A. The homeowner shall be responsible to install a perforated pipe to be used in conjunction with gravel envelope around buildings to be drained.

B. The land owner shall be responsible for drain fields and the laterals to the main.

C. A clean out shall be required at the property line and at the front of the building or structure.

D. Required between the two clean outs shall be a 4" PVC sewer class sealed pipe. For identification purposes, the pipe shall be green in color. (Res 94-6, 5/24/94)

13.20.020 City's Responsibility. The city will accept and maintain land drains and manholes, after installation, completion, inspection and acceptance by the city engineer or his official representative. (Res 94-6, 5/24/94)

13.20.030 Developer's Responsibility. The developer shall design and construct a land drain system according to city specifications and standards. (Res 94-6, 5/24/94)

13.20.040 Installation Inspection. The inspection of the land drain system required by the developer shall be made by/or under the direction of the city engineer or his representative. A 24 hour notice is required for all inspections. The entire length of the pipes in the land drain system that has been requested to be inspected shall be exposed as per city engineer requirements when inspected. No back-filling shall be done until the inspection is made and the work accepted. If any portion of the work is not done in accordance with this resolution and the instructions of the engineer or his representative, it shall not be accepted. Work done without notice to inspect or without inspection shall be treated as defective work and shall be condemned, uncovered and re-laid, if required by the city engineer or his official representative to the approved design grade.

(Ord. 92-11, 9/8/92, repealed) (Res 94-6, 5/24/94)

13.20.050 Termination. The terminal end of the land drain system shall be connected to a storm drain system or otherwise as approved. (Res 94-6, 5/24/94)

Chapter 13.30 - Wastewater Control

13.30.010 Controls. The wastewater control rules and regulations for the Central Weber Sewer Improvement District, dated June 1, 1991, together with any addendum or attachments thereto, a copy of which rules and regulations is available in the Pleasant View city Offices, by this reference made a part hereof, is part of the Pleasant View city ordinances. (Ord. 91-4, 6/9/91)

13.30.020 Repealer. All prior ordinances or rules and regulations previously adopted by the city Council of Pleasant View which are in conflict with the wastewater control rules and regulations for the Central Weber Sewer Improvement District adopted herein are repealed as of the effective date July 1, 1991. (Ord. 91-4, 6/9/91)

Chapter 13.40 - Inspection Fees

13.40.010 Inspection Fee. All subdivisions inspections made by Pleasant View city or on behalf of Pleasant View city shall be passed on directly to the subdivider for payment in the amount of \$30.00 per hour. Time will be measured in quarter increments. (Res 93-O, 10/26/93)

Appendix 1
(See paragraph 13.12.060 above)

PLEASANT VIEW CITY, UTAH-PLICATION FOR WATER CONNECTION
<p>To Pleasant View city, Utah: I hereby apply to Pleasant View City, Utah, for permission to connect my premises at _____ (address) with the Pleasant View City, Utah, water system and hereby agree as follows:</p>
<p>1. (a) The city shall make the requested connection from its water main to and including the water meter and up to my property line or to the meter if the meter is installed within my property. I agree to pay the city the connection charges and fees as may be fixed by the governing body by resolution or ordinance including a reservoir charge if so provided.</p> <p>(b) The work of extending the water connection from the point to which the city installs it to the place at which the water is to be used shall be my responsibility and shall be performed at my sole cost.</p> <p>(c) The connection so made by the city, including the meter, shall remain the property of the city at all times, and the city shall have access thereto at all times.</p>
<p>2. The location of the meter, whether on my premises or at some point near my premises, may be decided solely by the city.</p>
<p>3. Before making connection with the water system, I shall cause the plumbing upon my premises to be inspected by the city and if the plumbing is not approved, I will cause the plumbing to be rectified at my own expense to meet the requirements of the city or of any other governmental agency having jurisdiction to regulate the water system within the city.</p>
<p>4. I will be bound by the rules, regulations, resolutions or ordinances enacted now or hereafter by the city applicable to the city's water system.</p>
<p>5. The purpose for which the water connection will be used is _____.</p>
<p>6. The city shall have free access to the lines and meters installed under this agreement and, at reasonable times, through my property if necessary.</p>
<p>Dated this _____ day of _____ 20 _____.</p> <p>_____</p> <p>(Applicant's Signature)</p>

Appendix 2
(See paragraph 13.12.080 above)

PLEASANT VIEW CITY, UTAH APPLICATION FOR WATER SERVICE TO PLEASANT VIEW CITY, UTAH: The undersigned hereby applies for water service from Pleasant View city, Utah, for premises located at _____ and hereby agrees:

1. To pay charges for such water service as are fixed from time to time by the governing body until such time as I shall direct such service to be discontinued.
2. In the event of a failure to pay water charges within the due dates fixed by the governing body or of a failure of the occupant of the premises to conform to the ordinances and regulations established by the governing body regulating the use of the water system, that the city shall have the right to discontinue the water system service at its election, pursuant to five days written notice of the city's intention, until all delinquencies and any re-connection fees imposed are paid in full or until any failure to conform to this ordinance or regulations issued thereunder is eliminated.
3. To be bound by the rules, regulations, resolutions, or ordinances enacted or adopted by the governing body applicable to the city's water system.

Applicant does hereby deposit \$100.00 with the city on the filing of this application for water service, and it is agreed and understood that the city may, but need not, apply the deposit upon bills due for prior service and that the right of the city to shut off service as above provided shall exist even though the deposit has not been applied to the payment of past due bills for services. On final settlement of the applicant's account, any unused balance of the deposit will be refunded to applicant upon return of the security deposit receipt issued by the city at the time the deposit is made.

4. That the deposit shall not be considered as an advance payment for any service. Charges and unpaid accounts shall be considered delinquent notwithstanding the existence of the deposit, and the applicant or user of water service shall not have the right to compel the city to apply the deposit to any account to avoid delinquency.

Dated this _____ day of _____ 20_____.

(Applicant Signature)

Appendix 3
(See paragraph 13.12.090 above)

In consideration of the acceptance of the application for water service submitted by [tenant], I or we will pay for all water services for any such tenant or any other occupant of _____ premises in case such tenant or occupant shall fail to pay for the same according to the ordinances, rules, regulations or resolutions enacted by the city.

Dated this _____ day of _____ 20_____.

(Owner)

Title 13 Public Services

Chapters:

13.04 - Sewer Systems	13 - 1
13.08 - Storm Water Utility	13 - 6
13.09 - Storm Drainage	13 - 13
13.10 - Storm Water Permit	13 - 19
13.12 - Culinary Water	13 - 29
13.13 - Culinary Water Cross Connection Control	13 - 41
13.14 - Drinking Water Source Protection Ordinance	13 - 47
13.16 - Secondary Water	13 - 50
13.20 - Land Drains	13 - 51
13.30 - Wastewater Control	13 - 52
13.40 - Inspection Fees	13 - 53

Appendix 1 Application for Water Connection

Appendix 2 Application for Water Service

Appendix 3 Non-Owner Applicants - Agreement of Owner