

Moroni City
Codes and Ordinances

Title 8 – Water and Sewer

• Water Use and Service	1
• Drinking Water Source Protection	2
• Sewer Service Regulations	3
• Backflow and Cross Connections	4
• Irrigation Service Regulations	5

Water Use and Service

Section

- Water Department 8-1-1
- Individual Units; Connection Required 8-1-2
- Definition 8-1-3
- Applications for Connection, Service 8-1-4
- Rates and Fees 8-1-5
- Statement of Charges; Delinquency 8-1-6
- Use without Payment Prohibited 8-1-7
- Use without Authority; Restrictions 8-1-8
- Installation of Water Lines 8-1-9
- Pipe Requirements 8-1-10
- Water Mains Extended 8-1-11
- Sprinkling Vehicles 8-1-12
- Access by Department 8-1-13
- Use for Certain Machinery Restricted 8-1-14
- Scarcity of Water 8-1-15
- Waste of Water 8-1-16
- Water Meters 8-1-17
- Service Outside City 8-1-18
- Non-liability for Damages 8-1-19

8-1-1: Water Department

1. **Creation:** The Water Department of the City is hereby created. It shall administer the operation and maintenance of the water system of the City.
2. **Duties of Superintendent:** The Superintendent of the water system shall manage and supervise the City water system pursuant to the provisions of this Chapter and pursuant to resolutions, rules and regulations adopted by the City Council 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 Mayor or Council member appointed by the Mayor. (Ord. 1982-101, 7-27-1982, eff. 7-27-1982)

8-1-2: Individual Units; Connection Required

A water connection shall be required for each individual unit, as established in the City. For the purpose of this Chapter, an “individual unit” is defined as a separate apartment, office, trailer house or other unit for housing or for business, whether or not maintained in the same buildings as other households or other businesses and each separate business or office or family shall be required to pay minimum rates herein specified, together with the additional charge for water consumption in excess of the maximum allowed under said minimum rate. (Ord. 1982-101, 7-27-1982, eff. 7-27-1982)

8-1-3: Definition:

Water connections are defined by the zone in which the connection will occur and the nature of the building or facility being connected. All connections will be reviewed by the water department and City Council.

8-1-4: Applications for Connection; Service

1. **Connection:** Any person, other than a sub-divider or developer seeking multiple connections, who desires or is required to secure a new connection to the City water system, shall file with the Water Department for each connection a written and signed connection application in substantially the following form:

Moroni City
**Application for Water Connection to the Municipality of Moroni,
Utah**

I hereby apply to the City of Moroni for permission to connect my premises at:
_____ with the Municipality of Moroni's water system and hereby agree as follows:

1. Connection:

- a. The Municipality 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 Municipality the connection charges and fees as may be fixed by the governing body by resolution or ordinance, including a reservoir charge, if so provided.

Additionally, I agree to pay \$_____ for inspection and overhead charges and other miscellaneous costs of the Municipality as may be fixed by the governing body by resolution or ordinance.

The work of extending the water connection from the point to which the Municipality 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.

- b. The connection so made by the Municipality, including the meter, shall remain the property of the Municipality at all times, and the City shall have access thereto at all times.
2. The location of the meter, whether on my premises or at some point near my premises, may be decided solely by the Municipality.
3. Before making connection with the water system, I shall cause the plumbing upon my premises to be inspected by the Municipality 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 Municipality or of any other governmental agency having jurisdiction to regulate the water system within the City.
4. I will be bound by the rules, regulations, resolutions or ordinances enacted now or hereafter by the Municipality applicable to the Municipality's water system.
5. The main purpose for which the water connection will be used is: _____

6. The Municipality shall have free access to the lines and meters installed under this agreement and, at reasonable times, through my property, if necessary.

Dated this: _____ day of: _____

Applicant: _____

2. **Connection By Sub-dividers:** Whenever a sub-divider or developer desires or is required to install water connections and extensions for a subdivision or development, the sub-divider 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.
3. **Service:** Any person who desires or is required to secure water service when such service is available from the City water system, shall file with the Water Department a written application and agreement for the service, which shall be in substantially the following form:

Moroni City

Application for Water Service to the Municipality of Moroni, Utah

The undersigned hereby applies for water service from the Municipality of Moroni City for premises located at _____ and hereby agrees:

1. To pay a/I 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 Municipality shall have the right to discontinue the water system service at its election, pursuant to five (5) days' written notice of the Municipality's intention, until all delinquencies and any reconnection fees imposed are paid in full or until any failure to conform to this Chapter or regulations issued there under is eliminated.
3. To be bound by the rules, regulations, resolutions or ordinances enacted or adopted by the governing body applicable to the Municipality's water system.

Applicant does hereby deposit \$ _____ with, the Municipality on the filing of this application for water service, and it is agreed and understood that the Municipality may, but need not, apply the deposit upon bills due for prior service and that the right of the Municipality 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 applicant's account, any unused balance of the deposit will be refunded to applicant upon return of the security deposit receipt issued by the Municipality 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 Municipality to apply the deposit to any account to avoid delinquency.

Dated this: _____ day of: _____

Applicant: _____

4. **Non-Owner Service:** 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 following form: (Ord.1982-101, 7-27-1982, eff. 7-27-1982)

Moroni City
Application for Water Service by Non-Owner

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 fail to pay for the same according to the ordinances, rules and regulations or resolutions enacted by the Municipality.

Dated this: _____ day of: _____

Owner: _____

(Ord. 1982-101, 7-27-1 982, eff. 7-27-1982; amd. 2000 Code)

8-1-5: Rates and Fees

1. **Service Rates and Connection Fees:** The rates, penalty fee for delinquency in payment, connection fee, reservoir fee, inspection fee and other charges incidental to connection and services from the City's water system shall be fixed from time to time by resolution enacted by the City Council. The City Council 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.1982-101, 7-27-1982, eff. 7-27-1982)

2. **Special Rates:** The City Council 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. 1982-1 01, 7-27-1982, eff. 7-27-1982; amd. 2000 Code)

8-1-6: Statement of Charges; Delinquency

1. **Statement:** The City Recorder/Clerk or Superintendent of Water Department shall furnish to each user, or mail to, or leave at his place of residence or usual place of business, a written or printed statement stating thereon the amount of water service charges assessed against him once each month or at such other regular interval as the City Council shall direct.
2. **Failure to Pay:** The statement shall specify the amount of the bill for the water service and the place of payment and date due. If any person fails to pay the water charges within thirty (30) days of the date due, the City Recorder/Clerk or Superintendent of Water Department shall give the customer notice in writing of intent to discontinue the service to the customer unless the customer pays the bill in full within five (5) days from the date of notice.
3. **Payment of Delinquent Charges:** 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 water charges must have been paid to the City Treasurer or arrangements made for their payment in a manner satisfactory to the City. In the event water is turned off for nonpayment of water 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 and off as the City Council may have established by resolution. 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 City Recorder/Clerk 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. 1982-101, 7-27-1982, eff. 7-27-1982; amd. 2000 Code)

8-1-7: Use without Payment Prohibited

It shall be unlawful for any person by himself, family, servants or agents to utilize the City water system without paying therefore, as herein provided or, without authority, to open any fire hydrant, stopcock, valve, or other fixtures attached to the water system 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. 1982-1 01, 7-27-1982, eff. 7-27-1982)

8-1-8: Use without Authority; Restrictions

1. **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 City Council and City Recorder/Clerk. (Ord. 1982-101, 7-27-1 982, eff. 7-27-1 982; amd. 2014 Code)
2. **Separate Connections:** It shall be unlawful for two (2) 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 City Council 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 subsection 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.
3. **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.
4. **Adjoining Premises:** 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.
5. **Visitors:** Individuals visiting the premises of an authorized user in a recreational vehicle not including a mobile home and continuing to live thereon during the period of visitation may receive water service from the service pipes or facilities of the host during the visitation period which shall not exceed one month. Continued use thereafter shall be deemed unauthorized and in violation of the provisions of this Chapter relating to separate connections and unauthorized use. (Ord. 1982-101, 7-27-1982, eff.7-27-1982)

8-1-9: Installation of Water Lines

1. **Permit Required:** It shall be unlawful for any person to lay, repair, alter or connect any water line to the City culinary water system without first having received a construction

permit from the office of the City Recorder/Clerk. (Ord. 1 982-1 01, 7-27-1982, eff. 7-27-1982; amd. 2000 Code)

2. **Application:** Application for permits to make water connections or other alteration or for laying or repairing lines connected directly or indirectly to the City 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 of the work to be done for which the application is made.
3. **Determination of Approval:** The application shall be granted if the Superintendent determines that:
 - a. 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.
 - b. The connection conforms to the ordinances, regulations, specifications and standards of materials required by the City.
 - c. Line and Grade Designation: All connections, alterations or installations shall be to the line and grade designated by the Water Superintendent.
4. **Fees:** Fees for permits or for inspection services shall be of such amounts as the City Council shall from time to time determine by resolution. (Ord. 1982-101, 7-27-1 982, eff. 7-27-1982)

8-1-10: Pipe Requirements

1. **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 Planning and Zoning Commission and Water Superintendent, shall be allowed to dig into the street for the purpose of laying, removing or repairing any service pipe in accordance with chapter 3 of Title 7 (Public Ways and Property).
2. **Quality of Service Pipe:** 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 City Council 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 therefore from the City Recorder/Clerk. (Ord. 1982-101, 7-27-1 982, eff. 7-27-1 982)

8-1-11: Water Mains Extended

1. **Petition to City Council:** Any person, including any sub-divider, who desires to have the water mains extended within the City, which extension shall be further than one hundred feet (100') from the existing line, and is willing to advance the whole expense of such extension, may make application to the City Council 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 City Council may grant or deny the petition as in its discretion deems best for the welfare of existing water users in the City. Such extension, when completed, shall become a part of the City's water system.
2. **Cost Determined:** Upon the receipt of such petition and map and before the petition is granted, the City Council shall obtain from the Water Superintendent a certified statement showing the whole cost or expense of making such extension.
3. **Amount Deposited:** If the City Council grants the petition, the amount of the cost of making the extension, as certified by the Superintendent, shall be deposited with the City Recorder/Clerk before any work shall be done on such extensions. The deposit shall be made within thirty (30) days, or such other time as the City Council shall indicate, after the granting thereof.
4. **Return of Deposit:** At the time the City Council 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. (Ord. 1982-101, 7-27-1 982, eff. 7-27-1982)
5. **Forfeiture:** In the event any deposit remains unclaimed for a period of two (2) years after the depositor has discontinued water service, the deposit may be forfeited and then transferred to the Water Utility Fund. (Ord. 1982-101, 7-27-1 982, eff. 7-27-1982; amd. 2000 Code)
6. **Ownership of Extension:** Any such extension shall be deemed the property of the City. (Ord. 1982-1 01, 7-27-1982, eff. 7-27-1982)

8-1-12: Sprinkling Vehicles

Vehicles for sprinkling shall be regulated and controlled by the Water Department through the Superintendent of the Water Department. (Ord. 1982-101, 7-27-1982, eff. 7-27-1 982)

8-1-13: Access by Department

The Water Superintendent and his agents shall at all ordinary hours have free access to anyplace supplied with water services from the City system for the purpose of examining the apparatus and ascertaining the amount of water service being used and the manner of its use. (Ord. 1982-101, 7-27-1982, eff. 7-27-1982)

8-1-14: Use for Certain Machinery Restricted

No water shall be supplied from the pipes of the City water system for the purpose of driving motor, siphon, 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 City Council. (Ord. 1982-101, 7-27-1982, eff. 7-27-1982)

8-1-15: Scarcity of Water

In time of scarcity of water, whenever it shall, in the judgment of the Mayor and the City Council, 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 Chapter. (Ord. 1982-101, 7-27-1982, eff. 7-27-1982)

8-1-16: Waste of Water

1. **Prohibited Acts:** 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.
2. **Refer to City Council:** Users of water from the City 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 City water engages

in practices which result in the needless waste of water and continues to do so after reasonable notice to discontinue wastefulness has been given, the Superintendent, or any officer, may refer the matter to the City Council. (Ord. 1982-101, 7-27-1982, eff. 7-27-1982)

3. **Termination of Service; Meeting:** The City Council 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 ten (10) days prior to termination of water service. The notice shall Inform him of the time of termination and the charges which led to the termination. (Ord. 1982-101, 7-27-1982, eff. 7-27-1982; amd. 2000 Code)

8-1-17: Water Meters

1. **Number of Meters; Dispute:** Except as otherwise expressly permitted by this Chapter, all structures, dwelling units, establishments and persons using water from the City water system must 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.
2. **Meters Furnished by City:** 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 City Council from time to time by resolution.
3. **Ownership; Disputes:** Meters shall be deemed to be and remain the property of the City. Whenever a dispute between the 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 City Council after due notice in writing to the parties involved.
4. **Meter Readings:** The Superintendent shall cause meter readings to be taken regularly and shall advise the City Recorder/Clerk thereof for the purpose of recording the necessary billings for water service.
5. **Tampering:** 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. (Ord.1982-1011 7-27-1982, eff. 7-27-1982)
6. **Testing:** 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 six (6) 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 ninety seven percent (97%) to one hundred three percent (103%) of accuracy under methods of testing satisfactory to the City Council, the meter shall be deemed to accurately measure the use of water. (Ord. 1982-1 01, 7-27-1 982, eff. 7-27-1982; amd. 2000 Code)

7. **Estimation in Case of Failure:** 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 ninety seven percent (97%) or more than one hundred three percent (103%) of accuracy, the City shall make such adjustments in the customer's previous bills as are just and fair under the circumstances.
8. **Damage by Customer:** 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 reasonable attorney fees, 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. (Ord. 1982-101, 7-27-1982, eff. 7-27-1982)
9. **Charges:** There shall be a charge to install meters at each individual owner's property. A fee shall be imposed when the meter is taken out. All connections will be subject to monthly water bill rates as long as the meter is connected. Renters shall pay a meter deposit; a portion of which will be refundable at the time service is discontinued. The amount of such fees will be as established by resolution of the City Council. (Ord. 1982-101, 7-27-1982, off. 7-27-1982; amd. 2000 Code)

8-1-18: Service Outside City

1. **Scope:**
 - a. The City is responsible for all service lines it provides;
 - b. The City does not maintain liability for services outside its jurisdiction;
 - c. Problems with services outside the City limits could cause possible liability issues;
 - d. Residents of the City bear the cost of maintaining, upgrading and upkeep of all City services through property taxes;

- e. Property owners outside the City do not participate in the cost of maintaining, upgrading and upkeep of City services.

2. **Policy:** The City shall not be responsible for City services outside of its jurisdiction. (Res. 96-10-23, 10-23-1996, eff. 10-23-1 996)

8-1-18: Non-Liability for Damages

The City shall not be held 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 Chapter shall not be construed to extend the liability of the City beyond that provided in the Governmental Immunity Act (Ord. 1982-1 01, 7-27-1982, eff. 7-27-1982) U.C.A. § 63-30-1.

Drinking Water Source Protection

Section

- Title and Purpose 8-2-1
- Definitions 8-2-2
- Administration 8-2-3
- Establishment of Protection Zone 8-2-4
- Permitted Uses 8-2-5
- Prohibited Uses 8-2-6

8-2-1: Title and Purpose

1. **Title:** This Chapter shall be known as the Drinking Water Source Protection Ordinance.
2. **Purpose:** The purpose of this Chapter 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. 96-8-5, 10-22-1 996, eff. retroactive to 5-8-1 996)

8-2-2: Definitions

When used in this Chapter, the following words and phrases shall have the meanings given in this Section:

- **Design Standard:** A control which is implemented by a potential contamination source to prevent discharges to the ground water. Spill protection is an example of a design standard.
- **Land Management Strategies:** Zoning and non-zoning controls which include, but are not limited to, the following: zoning and subdivision ordinances, site plan reviews, design and operating 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.

- **Pollution Source:** 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 underground injection wells, landfills, open dumps, land filling of sludge and septage, manure piles, salt piles, pit privies, and animal feeding operations with more than ten (10) animal units. The following clarify the definition of pollution source:
 - Animal Feeding Operation: 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 five (5) days or more in any one-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 (2) 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 system for the disposal of wastes.
 - Animal Unit: 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 fifty five(55) pounds multiplied by 0.4, plus the number of sheep multiplied by 0.1, plus the number of horses multiplied by 2.0.
 - Extremely Hazardous Substances: Those substances which are identified in the sec. 302 (EHS) column of the title lii list of lists - “Consolidated List of Chemicals Subject to Reporting under SARA Title III”, (EPA 560/4-91-011).
- **Potential Contamination Source:** 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.
- **Regulatory Agency:** Any governmental agency with jurisdiction over hazardous wastes.
- **Sanitary Landfill:** A disposal site where solid wastes, including putrescible wastes, or hazardous wastes, are disposed of on land by placing earth cover thereon.

- **Septic Tank/Drain Field Systems:** A system which 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.
- **Wellhead:** The upper terminal of a well, including adapters, ports, seals, valves and other attachments. (Ord. 96-8-5, 10-22-1996, eff. retroactive to 5-8-1 996; amd, 2000 Code)

8-2-3: Administration

The policies and procedures for administration of any source protection zone established under this Chapter, including without limitation, those applicable to nonconforming uses, exception, enforcement and penalties, shall be the same as provided in the existing Zoning Title, as the same is presently enacted or may from time to time be amended. (Ord. 96-8-5, 10-22-1996, eff. retroactive to 5-8-1996)

8-2-4: Establishment of Protection Zone

There are hereby established use districts to be known as Zone One of the drinking water source protection area, identified and described as follows:

1. Zone one is the area within a one hundred foot (100') radius from the wellhead. (Ord. 96-8-5, 10-22-1 996, eff. retroactive to 5-8-1996)

8-2-5: Permitted Uses

The following uses shall be permitted within drinking water source protection areas:

1. 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.
2. Any other open land use where any building located on the property is incidental and accessory to the primary open land use. (Ord. 96-8-5, 10-22-1996, eff. retroactive to 5-8-1 996)

8-2-6: Prohibited Uses

The following uses or conditions shall be and are hereby prohibited within drinking water source protection zones, whether or not such use or condition may otherwise be ordinarily included as a part of a use permitted under Section 8-2-5 of this Chapter.

1. **Zone One:** The location of any “potential contamination source”, as defined in Section 8-2-2 of this Chapter. (Ord. 96-8-5, 10-22-1996, eff. retroactive to 5-8-1996)

Sewer Service Regulations

Section

- Sewer Plant 8-3-1
- Use of System Mandatory 8-3-2
- Application for Service 8-3-3
- Fees 8-3-4
- Statement of Charges; Delinquency 8-3-5
- Installation and Connection to System 8-3-6
- Pipe Requirements 8-3-7
- Access by Department 8-3-8
- Prohibited Uses and Regulations 8-3-9

8-3-1: Sewer Plant

1. **Creation:** The sewer plant is hereby created. It shall comprise all of the property, equipment and personnel necessary to the maintenance and operation of the City's sewage collection and disposal system. (The Moroni Feed Company shall administer the operation and maintenance of the City sewer system. (1982 Code § 14-211; amd. 2000 Code)
2. **Superintendent:** There is hereby created the position of Superintendent of the Sewer Department. (1982 Code § 14-21 2)
3. **Duties:** The Superintendent shall manage and supervise the City's sewer system within the City limits, under the direction of the City Council, which from time to time shall, by resolution or otherwise, prescribe his powers and duties and direct the manner and frequency with which he shall make reports to the Mayor relating to the sewer system. (1982 Code § 14-213; amd. 2000 Code)

8-3-2: Use of System Mandatory

It shall be unlawful for the owner or any other person occupying or having charge of any premises within the City which are located within three hundred feet (300') of a sewer main to dispose of

sewage therefrom by any means other than by use of the City sewer system. It shall be unlawful to construct or to continue the use of any other sewage disposal system such as a privy vault, cesspool or septic tank on the property except by written approval of the City Council in cases of undue hardship. (1982 Code § 14-220)

8-3-3: Application for Service

1. **Agreement:** Any person who desires or is required to secure sewer service when such service is available from the City sewer system shall apply thereto to the City Recorder/Clerk and file an agreement with the City which shall be in substantially the below stated form:

Moroni City
Application for Sewer Service

Date: _____

To the Municipality of: _____

The undersigned hereby applies for sewer services from the Municipality for premises located at _____ and hereby agrees to pay charges for such sewer services as shall be fixed by the governing body of the Municipality by resolution or ordinance until such time as I shall direct such service to be discontinued.

In the event of a failure to pay for this service 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 relating to the use of the sewer system, the Municipality shall have the right to discontinue my water service from the Municipal water system until all delinquencies and any reconnection fees imposed are paid in full or until any failure to conform to the sewer ordinances or regulations issued there under is eliminated.

Additionally, I agree that the Municipality shall have the right to institute collection proceedings by all means available to it, including suit in a court of proper jurisdiction. The applicant agrees to pay all costs of collection including court costs and attorney fees.

The undersigned agrees to be bound by the rules, regulations, resolutions or ordinances enacted or adopted by the governing body of the Municipality applicable to the Municipality's sewer system.

Signed: _____

(1982 Code § 14-214)

2. **Non-Owner Applicants:** Applications for sewer services made by the tenant or an owner must in addition to the above requirement be guaranteed by an agreement signed by the owner of the premises or his duly authorized agent to the following effect:

Moroni City Application for Sewer Service by Non-Owner In consideration of the acceptance of the application for sewer service submitted by (any present or future tenant) _____, I, or we, will pay for all sewer services furnished to such tenant, or other occupant of: _____ (premises) _____ in case such tenant or occupant shall fail to pay for the same according to the ordinances, resolutions, rules or regulations of the Municipality. Owner: _____
--

(1982 Code § 14-215)

8-3-4: Fees

1. **Service Rates and Connection Fees:** The rates, penalty fee for delinquency in payment and connection fees for sewer services from the City sewer system shall be fixed from time to time by resolution or ordinance of the City Council. The City Council may from time to time enact rules for levying, billing, guaranteeing and collecting charges for sewer services and all other rules necessary for the management and control of the sewer system. (1982 Code § 14-21 6)
2. **Special Rates:** The City Council may from time to time fix by agreement or resolution special rates and conditions upon such terms as they may deem proper for users of the sewer service discharging wastes of unusual characteristics or making use thereof under exceptional circumstances. (1982 Code 14-217)
3. **Complaints; Corrections:** The City Council is hereby constituted a Board of Equalization of sewer rates to hear complaints and make corrections of any assessments or charges deemed to be illegal, unequal or unjust. (1982 Code 14-21 8)

8-3-5: Statement of Charges; Delinquency

1. **Statement:** The Sewer Department, or such other person as the City Council may designate, shall furnish to each user or mail or leave at his place or residence or usual place of business, a written or printed statement stating the sewer service charges assessed against him once

each month or at such other regular intervals as the City Council shall direct. The statement shall specify the amount of the bill, the place of payment, and the date due.

2. **Notice of Discontinuance:** If any person fails to pay his sewer charges within thirty (30) days of the date due, the City Recorder/Clerk or the Sewer Superintendent shall give the customer notice in writing of the intent to discontinue the service of water to the premises unless the customer pays the bill in full within five (5) days from date of notice.
3. **Delinquent Charges Paid Prior to Reconnection:** If the water service is thereafter discontinued for failure to make payment of the sewer service charges, before the water service to the premises shall again be provided, all delinquent sewer charges must have been paid to the City Treasurer or arrangements made for their payment that are satisfactory to the City.
4. **May Require Additional Charges:** In the event water is turned off for nonpayment of sewer charges, before the water service to the premises shall again be provided, the customer shall pay, in addition to all delinquent charges, such extra charge for turning the water on and off as the City Council may have established by resolution or ordinance. (1982 Code § 14-21 9)
5. **Authorized to Enforce Collection:** If any person fails to pay his sewer charges within thirty (30) days of the due date, the CityRecorder/Clerk is hereby authorized to take all action necessary to enforce collection, including, but not limited to, the commencement of legal proceedings in a court of proper jurisdiction seeking judgment for the amount of the delinquent fees and service charges and all costs of collection, including court costs and attorney fees (1982 Code § 14-219; amd. 2000 Code)

8-3-6: Installation and Connection to System

1. **Permit Required:** It shall be unlawful for any person to directly or indirectly engage in the laying, repairing, altering or connecting of any drain or sewer pipe connected with or part of the City sewer system without first having received a permit from the office of the Recorder/Clerk. (1982 Code § 14-222; amd. 2000 Code)
2. **Licensed Plumber; Exception:** It shall be unlawful for any person to connect any drain or sewer pipe with the City sewer system unless the person is a duly licensed plumber or unless, in the absence of a duly licensed plumber, any proposed connection to, alteration of, or change of connection to the sewer system shall be first submitted to the Sewer Superintendent for review and approval. After such approval, the installation or work done shall be subject to inspection by the Sewer Superintendent or his agent. (1982 Code § 14-221)

3. **Connection to Basement:** In order to determine the feasibility of connecting a basement or proposed basement to the sanitary sewer, the owner or plumber may make application for a trial sewer survey, the cost of which shall be as established from time to time by resolution of the City Council. The result of a trial sewer survey shall not constitute a permit to connect to the sewer and is merely for information purposes. (1982 Code § 14-228)
4. **When Permits shall not be Issued:** Permits to connect to the City sewer system shall not be issued unless the plumbing in the house or building to be connected is in accordance with the provisions of the building and plumbing codes of the City. (1982 Code § 14-223)
5. **Revocation of Permit:** All construction permits for sewer connections or installations shall be issued to the plumber who is to do the work or to the owner of the property, subject to the supervision and inspection by the Sewer Superintendent or his agents. The City Recorder/Clerk or Sewer Superintendent may at any time revoke a permit because of defective work or because of undue delay in completing the permitted work. (1982 Code § 14-224)

8-3-7: Pipe Requirements

1. **Good Repair:** All users of the sewer services shall keep their service pipes, connections, and other apparatus in good repair and protected from frost at their own expense. No person, except under the direction of the of the Planning and Zoning Commission and Water Superintendent, shall be allowed to dig into the street for the purpose of laying, removing or repairing any service pipe in accordance with chapter 3 of Title 7 (Public Ways and Property). (1982 Code § 14-225)
2. **Quality of Service Pipe:** All service and other pipes used in conjunction with the sewer services of the City shall be of such material, quality and specifications as the City Council 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 Sewer Department. All work, alterations or extensions affecting sewer pipes shall be subject to the acceptance of the Sewer Superintendent, and no connections with sewer mains shall be made without first obtaining a permit therefore from the City Recorder/Clerk. (1982 Code § 14-226)

8-3-8: Access by Department

The Sewer Superintendent and his agents shall at all ordinary hours have free access to places supplied with sewer services from the City system for the purpose of examining the apparatus, ascertaining the sewer service being used and the manner of its use. (1982 Code § 14-227)

8-3-9: Prohibited Uses and Regulations

1. **Scope:** The City Council shall have power to and retains the right to adopt regulations controlling the manner and circumstances under which the sewer system may be used in

addition to the regulatory provisions set forth expressly in this Chapter. (1982 Code § 14-232)

2. **Inflammables:** It shall be unlawful for any person to injure, break or remove any part or portion of any sewer appliance or appurtenance, or to discharge into a sewer any inflammable gas, gasoline or oil, any calcium carbide or residue therefrom, or any liquid or other materials or substance which will emit an inflammable gas when in contact with water, sewage or fire. Oil separators installed in any building where volatile fluids are used must not be connected directly or indirectly with a sewer.
3. **Waste from Certain Establishments:** The contents of waste pipes from water filters, gas engines, air compressors, vacuum or dry cleaners, garages, wash racks, stores or warehouses containing inflammable substances, car barns, buildings for the stabling or keeping of horses, cows and other animals, or plants using milk or processing milk products, and all similar establishments shall not be disposed of through connection with a sanitary sewer unless such contents are discharged into settling tanks properly trapped and vented. The construction of such tanks must be approved by the City Engineer, and must be subject to his inspection, approval, or condemnation before cement is poured and at all times thereafter until completion of such construction. Upon condemnation by the City Engineer, the sewage from the tanks shall not be allowed to flow into the sewer until satisfactory alterations have been made and the construction approved by the City Engineer.
4. **Obstructive Materials:** It shall be unlawful for any person to empty or discharge into the public sanitary sewer and garbage, refuse or other similar matter or substance likely to obstruct the sewer, or any substance, solid or liquid other than the waste products for which the sewer is provided.
5. **Drainage Waters And Destructive Materials:** It shall be unlawful for any person to connect with a public sanitary sewer and drain or pipe which discharges rainwater, cellar or surface water, acids, alkalies, lye or other injurious liquids, or the contents of any spring, flowing well, creek, ditch, or other watercourses. No boiler or heating plant shall be directly connected to the sanitary sewer. The overflow from boilers or heating plants, when cooled to a temperature not to exceed one hundred twenty degrees Fahrenheit (120°F), will be allowed to run to a sump, which sump shall be connected to the sewer. The discharge of the contents of waste pipes from water filters, gas engines, air compressors, vacuum or dry cleaners, garages, wash racks, stores or warehouses which contain inflammable substances, buildings for the stabling or keeping of horses, cows and other animals, and all similar establishments, shall not be made into or connected with a sanitary sewer, unless such contents are discharged into settling tanks properly trapped and vented. Settling tanks shall be constructed of a material approved by the Sewer Superintendent and shall be at all times

subject to his inspection and approval or condemnation. Upon condemnation by the Sewer Superintendent, the sewage from said tanks shall not be allowed to flow into the sewer until satisfactory alterations have been made and the construction approved by the Sewer Superintendent. (1982 Code § 14-231)

6. **Destruction of System:** It shall be unlawful for any person to destroy, deface, injure or interfere with the operation of any part or appurtenance of the sewer system. (1982 Code § 14-235)
7. **Ownership of Connecting Lines:** Unless a provision is expressly made for ownership of mains or lines by the owner of the adjacent property by means of written agreement, all lines and mains connecting the sewer system to a landowner or resident's premises which are situated on the public way between the main and the property line shall be deemed to be the property of the City and subject to its absolute control and supervision even though actual installation may have been performed by the owner or resident of the premises. (1982 Code § 14-233)
8. **Sewer Manholes:** It shall be unlawful for any person to open any sewer manhole without permission from the Sewer Superintendent. (1982 Code § 14-234)

Backflow and Cross Connections

Section

- General Purpose 8-4-1
- Definitions 8-4-2
- Responsibilities 8-4-3
- Requirements 8-4-4
- Discontinuance of Service 8-4-5

8-4-1: General Purpose

The purposes of this Chapter are as follows: (2000 Code)

1. **Protection of Water Supply:** To protect the safe public drinking water supply of the City from the possibility of contamination or pollution by requiring compliance with State and local plumbing codes, health regulations, EPA and other applicable industry standards for water system safety within the consumer's internal distribution system or private water system. Compliance with these minimum safety codes will be considered reasonable vigilance for prevention of contaminants or pollutants which could backflow into the public drinking water systems; and
2. **Elimination or Control of Cross-Connections:** To promote reasonable elimination or control of cross-connections in the plumbing fixtures and industrial piping systems of the consumer, as required by State and local plumbing codes, health regulations, EPA and other applicable industry standards to assure water system safety; and
3. **Administration of Backflow Prevention:** To provide for the administration of a continuing program of backflow prevention that will systematically and effectively prevent the contamination or pollution of all drinking water systems. (Ord 3-22-1 995)

8-4-2: Definitions

As used in this Chapter, the following terms shall have the meanings specified, unless a different meaning is clearly evident from the context:

- **Approved Backflow Assembly:** Accepted by the Utah Department of Health, Bureau of Drinking Water/Sanitation, as meeting an applicable specification or as suitable for the proposed use.

- **Auxiliary Water Supply:** Any water supply on or available to the premises other than the purveyor's public 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 such as a well, spring, river, stream, harbor, etc., or "used waters" or "industrial fluids". These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have authority for sanitary control.
- **Back Pressure:** The flow of water or other liquids, mixtures or substances under pressure into the feeding distribution pipes of a potable water supply system from any source other than the intended source.
- **Back Siphoning:** The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than the intended source, caused by the reduction of pressure in the potable water supply system.
- **Backflow:** The reversal of the normal flow of water caused by either back pressure or back siphoning.
- **Backflow Prevention Assembly:** An assembly or means designed to prevent backflow. Specifications for backflow prevention assemblies are contained within the Utah Plumbing Code, chapter 10, (appendix J), and the Cross-Connection Control Program for Utah.
- **Contamination:** A degradation of the quality of the potable water supply by non-potable water, sewage, industrial fluids or waste liquids, compounds or other materials.
- **Cross Connection:** Any physical connection or arrangement of piping or fixtures which may allow non-potable water or industrial fluids or other material of questionable quality to come in contact with potable water inside a distribution system. This would include any temporary connections, such as swing connections, removable sections, four-way plug valves, spools, dummy sections of pipe, swivel or change-over devices or sliding multi-port tubes or other plumbing arrangements.
- **Cross Connection 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 and permanently eliminate or control all actual or potential cross-connections within the customer's water system; or, it shall mean the installation of an approved backflow prevention assembly on the service line leading to and supplying a portion of a customer's water system where there are actual or potential

cross-connections which cannot be effectively eliminated or controlled at the point of the cross-connection (isolation).

- **Cross Connection 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.
- **Water Purveyor:** The person designated to be in charge of the Water Department of Moroni City is invested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this Chapter. (Ord., 3-22-1995; amd. 2000 Code)

8-4-3: Responsibilities

1. **City:**

- a. The City shall be responsible for the protection of the public drinking water distribution system from foreseeable conditions 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 consumer's water distribution system shall be conducted or caused to be conducted by the Water Superintendent or the water purveyor deemed qualified by and representing the City. Survey records shall indicate compliance with the aforementioned health and safety standards. PJI such records will be maintained by the City.
- c. The City shall notify in writing all consumers of the need for the periodic system survey to ensure compliance with existing 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. The Water Superintendent will give notice in writing to the customer. (Ord., 3-22-1995)

2. **Consumer:** It shall be the responsibility of the consumer to: (2000 Code)

- a. Comply with this Chapter as a term and condition of supply and consumers acceptance of service is admittance of his/her awareness.

- b. Purchase, install, test and maintain any backflow prevention device/assembly required to comply with this Chapter.

3. 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 consumer side of the meter) and continues throughout the developed length of the consumer's water system. A customer's refusal will constitute grounds for discontinuance of service.
- b. The Plumbing official will review all plans to ensure that unprotected cross-connections are not an integral part of the consumer'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 International Plumbing Code and Utah Amendments. (Ord. 2-17-2022)
- c. Water vacating the drinking water supply must do so by an approved air gap or approved mechanical backflow prevention assembly, properly installed and in accordance with the Utah Plumbing Code.

4. Technician, Surveyor or Repair Person:

- a. Whether employed by the consumer or a utility to survey, test, repair or maintain backflow prevention assemblies, the certified backflow technicians, surveyors or repair persons will have the following responsibilities:
 - i. Ensuring acceptable testing equipment and procedures are used for testing, repairing or overhauling backflow prevention assemblies.
 - ii. Make reports of such testing and/or repair to the public water purveyor and the Utah Division of Drinking Water on forms approved for such use by the Utah Division of Drinking Water, and within the time frames prescribed by the City. (Ord. 2-17-2022).
 - iii. The report shall include the list of materials or replacement parts used.
 - iv. Ensuring replacement parts are equal in quality to parts originally supplied by the manufacturer of the assembly being repaired.

- v. Not changing the design, material or operational characteristics of the assembly during testing, repair or maintenance.
 - vi. A certified technician shall perform all tests of the mechanical devices or assemblies and be responsible for the competence and accuracy of all tests and reports.
 - vii. Ensuring his license is current, the testing equipment being used is acceptable to the State, and is in proper operating condition.
 - viii. Be equipped with, and be competent to use, all necessary tools, gauges and other equipment necessary to properly test and maintain backflow prevent assemblies.
 - ix. The certified technician conducting the test must tag 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 technician's license number must also be on this tag. (Ord., 3-22-1995)
- b. In the case of a consumer requiring a commercially available technician, any certified technician is authorized to make the test and report the results of that test to the consumer, water purveyor and the Division of Drinking Water. If such a commercially- tested assembly is in need of repair, a licensed plumber shall make the actual repair. (Ord.2-17-2022)

8-4-4: Requirements

1. **Protection of Water Supply:** No water service connection to any premises shall be installed or maintained by the public water purveyor unless the water supply is protected as required by State laws, regulations, codes and this Chapter. Service of water to a consumer found to be in violation of this Chapter shall be discontinued by the water purveyor after due process of written notification of violation and an appropriate time suspension for voluntary compliance, if:
 - a. A backflow prevention assembly required by this Chapter for control of backflow and cross-connections is not installed, tested and maintained; or
 - b. If it is found that a backflow prevention assembly has been removed or bypassed; or
 - c. If an unprotected cross-connection exists on the premises; or

- d. If the periodic system survey has not been conducted. Service will not be restored until such conditions or defects are corrected.
2. **Inspection of Customer's System:** The customer's system shall be open for inspection at all reasonable times to authorized representatives of the public water purveyor to determine whether cross-connections or other structural or sanitary hazards, including violation of this Chapter, exist and to audit the results of the required survey (subsection 8-4-3A2 of this Chapter).
3. **Installation of Approved Prevention Assembly:** Whenever the public water purveyor 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 consumer'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.
4. **Type of Protective Assembly:** The type of protective assembly required under subsection C of this Section 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 resulting from the required survey.
5. **Inspection and Maintenance Requirements:** It shall be the responsibility of the consumer at the premises where backflow prevention assemblies are installed to have certified surveys inspections and operational tests made at least once per year at the consumer's expense. In those instances where the public water purveyor deems the hazard to be great, he may require certified surveys/inspections and tests at a more frequent interval. It shall be the duty of the public water purveyor to see that these tests are made according to the standards set forth by the County Health Department, International Plumbing Code and Utah Amendment, and Utah Division of Drinking Water. (Ord. 2-17-2022)
6. **Testing Backflow Prevention Assemblies:** All backflow prevention assemblies shall be tested within ten (10) working days of initial installation, and at least once annually. (Ord. 2-17-2022)
7. **Safety Hazards:** No backflow prevention assembly shall be installed so as to create a safety hazard. Example: installed over an electrical panel, steam pipes, boilers, and pits or above ceiling level. (Ord., 3-22-1995)

8-4-5: Discontinuance of Service

If violations of this Chapter exist or if there has not been any corrective action taken by the consumer within ten (10) days of the written notification of deficiencies noted within the survey, then the public water purveyor shall deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the conditions in conformance with the State and City statutes relating to plumbing, safe drinking water supplies and the regulations adopted pursuant thereto. (Ord 3-22-1995)

Irrigation Service Regulations

Section

- Title and Purpose 8-5-1
- Irrigation Department 8-5-2
- Penalties for late and non-payment of charges 8-5-3
- Installation of Water Lines 8-5-4
- Misuse of Moroni City Water 8-5-5
- Variances 8-5-6
- Additional Requirements-Culinary and Irrigation 8-5-7
- Water Scarcity 8-5-8
- Misuse of Water 8-5-9
- Conflicting Ordinances 8-5-10
- Effective Date and Posting Ordinance 8-5-11

8-5-1: Title and Purpose

1. **Title:** This chapter shall be known as the Irrigation Service Regulation Ordinance
2. **Purpose:** The purpose of this chapter is to establish and regulate a secondary water department focused on irrigation. In addition, the purpose of this chapter is to provide rules and regulations on the administration, protection of the water system, the setting of penalties, setting and modification of rates by resolution and the establishing of rates until so amended.

1. Properties to be irrigated by the Moroni City Irrigation System (MCIS)

- a. Notwithstanding the existence of any connection outside the corporate limits of the City, there shall not be at any future time any additional connections to serve a lot or any property outside the corporate limits of the City.
- b. All lots and acreage that were rightfully entitled to be irrigated by water decreed to and delivered by Moroni City on January 1, 2003 shall belong with the service area of the MCIS. The City will install a riser on each property and the owner(s) of such property will be assessed a monthly charge as provided for in part B.
- c. Whenever a lot or acreage described in part 1 above is sub-divided, each of the newly created parcels of land becomes a distinct part of the MCIS service area and the owner(s) of each parcel must adhere to all applicable aspects of this policy. The new owner(s) will bear the cost of installation of a new irrigation riser.

Whenever two adjoining lots become the property of one owner, the option can be given to eliminate one irrigation riser upon the combining of the two lots.

- d. Every dwelling unit, whether or not constructed in conjunction with other dwellings, is to be considered as a distinct part of the MCIS. Exceptions to this are dwellings that are classified as rental units, or belong to an approved apartment complex.
- e. Land within the Moroni City limits may be added to and included in the MCIS if all the following conditions are met:
 - i. Approval by the Moroni City Council
 - ii. Moroni-Mt. Pleasant Irrigation Company or Moroni Irrigation Company water stock is deeded to Moroni City at the rate of One (1) share per acre (1/2 share for lots of .8 an acre or less). In lieu of the transfer of water stock, the payment of \$2,000.00 per one share of water stock (\$1,000.00 per half share) as required for the lot size involved.
 - iii. Payment of hook-up fee of \$500.00 or cost of labor and materials for installation, whichever is the greater.

- f. For each one-half (1/2) share the City shall allow one (1) 1 ½ inch riser with two (2) ¾ inch taps connected thereto to the City main irrigation line. All connections, piping etc. connected to that riser on the property of the owner is under their jurisdiction and responsibility.
- g. The City will not establish irrigation lines beyond the area described by map “.19—“, Moroni City Water Study Pressure Irrigation Peak Flow with Build Out Boundary” without the review of Moroni City’s Engineer and certification that there will be no adverse affect on existing water users.

2. A monthly charge will be determined by the following:

- a. \$16.00 a month for ½ acre (or any smaller lot) to be paid year round. There shall be one riser to facilitate irrigation of each ½ acre lot (or less) and \$16.00 per month shall be paid for every ½ acre lot (or less) (irrespective of actual fraction of lot size).

3. Period of Operation

- a. Normal operation of this System will be from April 15 to October 15.
- b. If possible, the public will be notified in advance of any interruption of operation.
- c. The City retains the absolute right and privilege to regulate hours of usage, whether during a period of water shortage, scarcity or any other known or unforeseeable condition.

- 4. **Leaks:** Leaks occurring in the MCIS will be fixed by the City if they are in the City’s installed valve or on the “city side” of the valve. Leaks on the owner’ sides of the valve are the responsibility of the property owner(s).

8-5-3: Penalties for Late and Non-Payment of Charges

- 1. An account becomes delinquent when any month’s utility bill is not paid on or before the 25th day of the current month. Such an account will be assessed a penalty of ten (10%) percent which will be added to the utility bill.
- 2. An account that is not paid by the 26th day of the current month will be assessed a disconnect fee of \$25.00 and utilities will be shut off. These utilities will not be restored until all charges and penalties have been paid. Moroni City will not be liable for damages sustained by the customer due to disconnection for non-payment.

3. A return check charge of \$25.00 will be assessed to each returned check as it is received from the bank for non-payment.
4. Delinquent accounts may result in liens being placed on property relating to such accounts.

8-5-4: Installation of Water Lines

1. **Permit Required:** It shall be unlawful for any person to lay, repair, alter or connect any water line to the City irrigation water system without first having received a construction permit from the office of the City Recorder/Clerk.
2. **Application:** Application for permits to make water connections or other alteration or for laying or repairing lines connected directly or indirectly to the City 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 of the work to be done for which the application is made.

8-5-5: Misuse of Moroni Water

1. Any user who negligently uses Moroni City water resulting in the flooding of streets and sidewalks may be cited for violation of the Moroni City Ordinances.
2. Any person or persons who willfully use water from the MCIS to irrigate land not within the legally established service area of the MCIS, may be cited for violation of Section 76-6-409, Utah Code Annotated 1953, as amended (theft of services).
3. Any user who has the right to irrigation for only part of a property with the MCIS will be required to indicate on an appropriate form that part of the property that will be irrigated with the MCIS.

8-5-6: Variances

The Moroni City Council may consider and permit variances to this policy.

8-5-7: Additional Requirements – Culinary and Irrigation

1. **Access:** The water department personnel will have free access during ordinary hours to inspect plumbing.
2. **Damage Liability:** Moroni City will not be liable for damage. The City shall not be liable for damage due to stoppage or interrupted service caused by fires, scarcity of water, accidents

to works, mains, alterations, additions, or repairs. The City shall also not be liable for damage to property caused by flooding of water from water mains.

3. **Irrigation Systems Pressurization:** All irrigation systems on MCIS will be pressurized. Violators will have service discontinued until compliance is met.
4. **Thermal Expansion/Pressure Relief:** The City shall not be responsible for damage to plumbing due to thermal expansion from dual check valves in the System. It will be the responsibility of the consumer to have a working pressure relief valve.
5. **Cross Connections:** The City shall not allow any connection to its System which may jeopardize its quality and integrity. Cross connections are not allowed.
6. **Risers:** For the necessary and essential administration and control of the System, all risers shall not only be above ground level but also shall be of such height as not to be obscured in any way to permit observation from passing along a city street or by any other “plain-sight” inspection.

8-5-8: Water Scarcity

In a time of water scarcity, whenever it shall, in the judgment of the Mayor and the City Council, 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, their family, servants or agents, to violate any proclamation made by the Mayor in pursuance of this section. In addition to any defined watering schedule, open hose watering is strictly prohibited.

In the event of citizen noncompliance with a defined water schedule:

1. A fine will be imposed for those citizens not in compliance with the watering schedule.
2. One (1) warning will be provided, and is sufficient notice of incompliance. For all subsequent violations, a citation will be issued and a fine be imposed.
3. **Penalties and classification of violation:** the violation of this section is a Class C misdemeanor with a fine of \$50.00 imposed for violation of this section.

8-5-9: Unlawful use of Water

In a time of water scarcity, whenever it shall, in the judgment of the Mayor and the City Council, 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, their family, servants or agents, to violate any proclamation made by the Mayor in pursuance of this section. In addition to any defined watering schedule, open hose watering is strictly prohibited.

In the event of citizen noncompliance with a defined water schedule:

1. A fine will be imposed for those citizens not in compliance with the watering schedule.
2. One (1) warning will be provided, and is sufficient notice of incompliance. For all subsequent violations, a citation will be issued and a fine be imposed.
3. **Penalties and classification of violation:** the violation of this section is a Class C misdemeanor with a fine of \$100.00 imposed for violation of this section, following the issuance of a citation for a violation of section 8-5-6 within the same calendar year.

8-5-9: Conflicting Ordinance

In the event of any conflict in the interpretation of this ordinance, the section or sections more stringent and in favor of the city will prevail.