ORDINANCE 2026-10

NOTICE OF PENDING ORDINANCE

UNDERGROUND PUBLIC UTILITIES

An ordinance establishing temporary regulations pertaining to the requirement for existing above-ground utilities to be buried underground upon development/redevelopment.

NOTICE is hereby given to all interested persons that Heber City is currently considering an ordinance modifying, amending and affecting the regulations pertaining to the requirement for the burial of existing above ground utilities by development/redevelopment.

In accordance thereto, and pursuant to State Code, **10-20-504 Temporary Land Use Regulations;** this Ordinance is proposed to put the public on notice that a Pending Ordinance entitled "Underground Public Utilities" is hereby adopted for a period not to exceed **one hundred eighty (180)** days from the effective date of this Ordinance, to allow Heber City time to either formalize the pending ordinance, amend the existing ordinance or determine not to adopt.

WHEREAS, Heber City through the City Council has determined that a compelling, countervailing public interest exists in enacting this temporary land use ordinance to allow the City to examine its Zoning Ordinance; and

WHEREAS, the City Council of Heber City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of Heber City to enact this Temporary Land Use Ordinance as set forth below.

NOW, THEREFORE, the City Council finds it in the public interest to adopt the Underground Public Utilities Pending Ordinance.

BE IT ORDAINED by the City Council of Heber City, Utah, Section 18.117.030 C. of Heber City Municipal Code is hereby amended as shown in Exhibit A.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

To the extent that any ordinances, resolutions, or policies of Heber City materially conflict with the provisions of this Ordinance, they are hereby amended to comply with the provisions hereof.

This Temporary Land Use Ordinance does not involve any development activities within an area that is the subject of an Environmental Impact Statement or a Major Investment Study examining the area as a proposed highway or transportation corridor, pursuant to Utah Code, ***10-20-504, (3)(a)(b).***

This Ordinance shall become effective as set forth below and shall remain in effect for one-hundred eighty (180) days from the effective date.

This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED and ORDERED TO BE PUBLISHED BY THE HEBER CITY COUNCIL this 19th day of May, 2026.

	AYE	NAY	ABSENT	ABSTAIN
Yvonne Barney	X			
Aaron Cheatwood	X			
Michael Johnston	X			
Morgan Murdock	X			
Sid Ostergaard	X			

APPROVED:

Heidi Franco

Mayor Heidi Franco

HEBER CITY CORPORATE Seal WASATCH COUNTY, UTAH

ATTEST:

Nina Wardle Date: 5/19/2026

RECORDER

EXHIBIT A

18.117.030 Improvements

A. Requirements. The following improvements, designed according to the adopted Heber City Standard Specifications and Drawings, shall be installed in all subdivisions. The improvements shall include:
   1. Drinking Water, Pressurized Irrigation, Sewer, Storm Drain, Solid Waste:
      a. A potable water supply in amounts and manner as required under Section 17.28.030 of this chapter in accordance with the State Board of Health Standards;
      b. The installation of Drinking Water mains and Drinking Water laterals to each lot property line
      c. Sewer mains, and sewer laterals to each lot property line;
      d. Fire hydrants and locations as directed by the Fire Marshal
      e. Solid waste disposal facilities
      f. Storm drain system
      g. Pressurized irrigation system.

B. Streets:
   1. The grading and graveling of all streets and the installation of all required culverts
   2. The hard-surfacing of all streets.
   3. Curbs and gutters and sidewalks.

C. Public Utilities. Electric, cable/internet natural gas, and telephone lines shall be installed. These utilities shall be located underground.~~, except when major transmission lines are on site and when other adjacent property owners would be impacted~~. Existing above ground utilities are not required to be placed underground.

D. Survey Monuments.

E. Sensitive lands and environmental hazards shall be addressed as per Chapter 18.67.

F. Street lighting.