

ENT 194083:2021 PG 1 of 3
ANDREA ALLEN
UTAH COUNTY RECORDER
2021 Nov 18 9:11 am FEE 0.00 BY JR
RECORDED FOR COMMUNITY DEVELOPMENT

ORDINANCE NO. 2021- 981

**AN ORDINANCE AMENDING SECTION 6.04 OF THE UTAH COUNTY LAND USE
ORDINANCE RELATED TO APPROVAL OF WATER AND SEWAGE DISPOSAL
FACILITIES FOR DWELLINGS AND OTHER APPLICABLE STRUCTURES AND
USES**

WHEREAS, the Utah County Commission initiated a review of Section 6.04 of the Utah County Land Use Ordinance (UCLUO) related to approval of water and sewage disposal facilities for dwellings and other applicable structures and uses; and

WHEREAS, the Utah County Planning Commission addressed the proposed amendment to the Utah County Land Use Ordinance during the regularly scheduled meeting of the Planning Commission on June 15, 2021 and July 20, 2021, held a public hearing regarding the proposed amendment on both dates, and made a recommendation to the Board of County Commissioners regarding the proposed amendment; and

WHEREAS, the Board of County Commissioners has received and carefully reviewed the recommendation from the Planning Commission regarding the proposed amendment, and the minutes of the Planning Commission meeting and the public hearing regarding the proposed amendment to the Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners has received and carefully reviewed the input, documents, and testimony from the public regarding the proposed amendment to the Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners finds the proposed amendment to the Utah County Land Use Ordinance conforms to the Utah County General Plan, and is consistent with the other provisions of the Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners finds that the proposed amendment to the Utah County Land Use Ordinance is in the best interest of the health, safety, and welfare of the citizens of Utah County, considering all factors.

NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF UTAH COUNTY ORDAINS AS FOLLOWS:

Part I:

Section 6.04, "Health Department Approval, Water and Sewage Disposal" of the Utah County Land Use Ordinance is hereby amended, including the appropriate re-numbering and re-formatting of applicable subsections, to read as follows:

See Exhibit "A"

Part II:

A copy of the Utah County Land Use Ordinance, as amended herein, is hereby ordered to be filed in the office of the Utah County Clerk/Auditor.

Part III:

If any of the sections, sentences, clauses or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein.

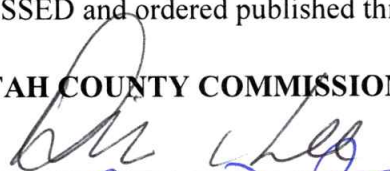
Part IV:

This ordinance shall become effective fifteen (15) days after it is passed and upon at least one (1) publication in a newspaper published in and having general circulation in Utah County.

PASSED and ordered published this 3rd day of November 2021.

UTAH COUNTY COMMISSION

VOTE


WILLIAM C. LEE, CHAIR

YEA


THOMAS V. SAKIEVICH, VICE-CHAIR

YEA


AMELIA POWERS GARDNER, COMMISSIONER

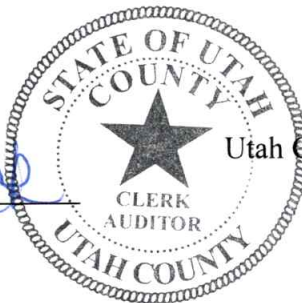
YEA

ATTEST:

JOSH DANIELS

Utah County Clerk/Auditor

By: 
Deputy



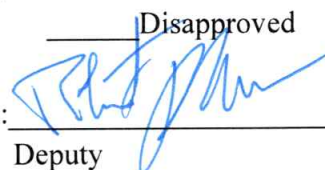
APPROVED AS TO FORM:

DAVID O. LEAVITT

Utah County Attorney

Approved

Disapproved

By: 
Deputy

Date of Publication: Once only, as soon as possible

ATTACHMENT "A"

6.04: HEALTH DEPARTMENT APPROVAL, WATER AND SEWAGE DISPOSAL

No residence or other use or structure with domestic water and/or sewage disposal facilities shall be used or occupied, nor a permit issued therefor, until a potable water supply facility and sanitary sewage disposal facility have been provided which have been approved by the Utah County Health Department and meet the following requirements;

- A. The owner of the lot or parcel has signed and recorded in the office of the Utah County Recorder a restrictive covenant, acknowledgment and disclaimer, in a form acceptable to the Utah County Commission, which acknowledges and gives notice of the potential of a determination by the Utah Division of Water Rights or a court of competent jurisdiction which may reduce the quantity, pressure, flow, or delivery of the source of water and releases Utah County for any damage, liability, obligation, or loss that might subsequently occur or arise as a result of any reduction of water.
 1. Exception: This form is not required for a permit associated with the remodel of, or addition to, any existing residence or other existing use or structure with domestic water and/or sewage disposal facilities.
- B. If the source of water is subsequently reduced or eliminated below the required amount for the subject structure or use through a determination by the Utah Division of Water Rights, by a court of competent jurisdiction, or for any other reason, then a replacement source of water shall be provided that meets all applicable requirements for quantity, pressure, flow, and delivery required for the original structure or use.
 1. Exception: If a lesser amount of water is allowed by this ordinance which is applicable to such original structure or use, the Utah County Commission may approve the lesser amount consistent with the provisions and requirements associated with the lesser amount.