

ORDINANCE NO. 2020-06-32

AN ORDINANCE AMENDING SECTION 17.5.131 OF THE MUNICIPAL CODE OF AMERICAN FORK CITY, UTAH, RELATED TO CULINARY WATER, PRESSURIZED IRRIGATION, AND SEWER CONNECTION STANDARDS.

WHEREAS, Chapter 17.5.131 of the American Fork Municipal Code relates to culinary water, pressurized irrigation, and sewer connection standards;

WHEREAS, City Council desires to amend the connection standards for water, pressurized irrigation, and sewer;

WHEREAS, it is in the best interest and general welfare of residents of American Fork to amend the Code relating to connection standards to require each individually owned unit to be served by a separate connection; and

NOW THEREFORE, be it ordained by the City Council of American Fork, Utah, that:

PART I

TEXT OF ORDINANCE

SECTION 1. Section 17.5.131 of the Municipal Code of American Fork City, relating to Culinary Water, Pressurized Irrigation, and Sewer Connection Standards is hereby amended to read as follows:

Section 17.5.131. – Culinary Water, Pressurized Irrigation, and Sewer Connection Standards.

A. Residential uses.

1. Culinary water and pressurized irrigation. Each dwelling unit shall be served by the city's culinary water and pressurized irrigation system. Each dwelling unit shall be served by an individual service lateral and meter with the following exceptions:
 - a. In the instance of multi-story multi-unit structures on a single lot, the city, at their sole discretion, may authorize the use of oversize connections and a master meter.
 - b. In the instance of a multi-story multi-unit building where the property boundaries of each unit are confined to the extents of the structures and there are no exterior landscaping areas located within the unit's property boundaries, an individual pressurized irrigation service lateral is not required.
2. Sewer. Each dwelling unit shall be served by the city's sewer collection system. Each dwelling unit shall be connected to the sewer collection system by an individual lateral, except that in the instance of multi-story multi-unit structures on a single lot, the city, at their sole discretion, may authorize the use of a common lateral.

- B. Commercial, industrial, mixed uses, and institutional uses. Minimum standards for culinary water, pressurized irrigation and sewer connections for commercial, industrial, mixed uses, and institutional uses are as follows:
1. Buildings. At a minimum, each building shall be served by a separate water and sewer connection which is connected directly to a city water and sewer laterals having sufficient capacity to accommodate the anticipated demand from the proposed use.
 2. Lots. Each lot shall be served by an individual service lateral and meter connected to the city's pressurized irrigation system.
 3. Multi-tenant. Each multi-tenant building shall conform to the following standards, as applicable:
 - a. In the instance of a single story building where the units in the building are designed to be divided into separate units and intended to be owned by separate owners, each unit shall be served by individual water and sewer service laterals connected directly to a city water and sewer line having sufficient capacity to accommodate the anticipated demand from the proposed use.
 - b. In the instance of a single story building where all of the units within the building are to remain in single ownership, the city may authorize the use of a single water and/or sewer connection for the entire building subject to: (1) the providing of adequate assurances of continued unified ownership, (2) submittal of a document, acceptable to the city, indemnifying the city against damages that may occur to tenants within the building as a result of a malfunction of the common utility system and agreeing to retro-fit the utility system to provide individual water and sewer laterals to each unit in the event of a sale of any of the units within the building to a separate owner.
 - c. In the instance of a multi-story, multi-unit building intended to be divided into separately owned units (condominium project), each unit shall be served by an individual water service lateral and meter which are connected directly to a city water line and each unit shall be served by an individual sewer service lateral which is connected to a city or private sewer line having sufficient capacity to accommodate the anticipated demand from the proposed use.
 - d. In the instance of a multi-story, multi-unit, mixed use building where all units within the structure are to remain in single ownership, the city may authorize the use of a single water and/or sewer connection for each land use type within the structure subject to: (1) the providing of adequate assurances of continued unified ownership, (2) submittal of a document, acceptable to the city, indemnifying the city against damages that may occur to tenants within the building as a result of a malfunction of the common utility system and agreeing to retro-fit the utility system to provide individual water and sewer laterals to each unit in the event of a sale of any of the units within the building to a separate owner.

PART II

CONFLICTING ORDINANCES, SEVERABILITY, AND ADOPTION

SECTION 1. Conflicting Provisions. Whenever the provisions of this Ordinance conflict with the provisions of any other ordinance, resolution, or part thereof, the more stringent shall prevail.

SECTION 2. Provisions Severable. This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, it is hereby declared that the remainder of the ordinance shall not be affected thereby.

EFFECTIVE DATE

This amended ordinance shall take effect immediately upon its passage and publication as prescribed by law.

Passed by the American Fork City Council this 30 day of June, 2020.



Bradley J. Frost
American Fork City Mayor

ATTEST:



Terilyn Lurker
City Recorder

