

ORDINANCE NO. 02-01-2017

AN ORDINANCE ALLOWING UTILITY SERVICE CONNECTIONS FOR NON-RESIDENTS, CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Santaquin ("the City"), as a fourth-class municipality of the State of Utah, has authority to operate certain utility services for the benefit of its residents; and

WHEREAS, the City of Santaquin does provide certain utility services for which fees are charged by the City; and

WHEREAS, the City desires to amend certain provisions of the Santaquin City Code, by this Ordinance, to affect its purposes pertaining to utility services;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SANTAQUIN CITY, UTAH, AS FOLLOWS:

SECTION I. AMENDMENTS TO TITLE 8, UTILITIES.

A. Santaquin City Code (S.C.C.) Title 8, Chapter 1, Subsection 4, paragraph A (§8-1-4.A) is amended as follows: *(underlined text is added, stricken text is deleted)*

A. Connection: Upon ~~obtaining a city building permit and~~ payment of the all related fees and dedication of water, when applicable, for a water connection in such amount as may be established from time to time by resolution or ordinance of the city council, it shall be the responsibility of the public works department to make such connection or connections, but only on condition that all applicable city ordinances and rules and regulations have been complied with; provided however, the responsibility for providing labor and materials for water connections shall be governed by such policies and regulations as may be promulgated from time to time by the public works department and such policies and regulations may require the person for whom the connection is made to make such connection under such supervision and standards as the department may require or to furnish all or a portion of the labor and materials necessary to make the connection. It shall be unlawful for any person to connect any water line with the public water main unless such person has received a permit to do so and unless such connection is inspected and approved by the superintendent of the water department or other authorized city inspector. County residents may only connect to city utilities if they are within 200 feet of an existing main line service.

B. Santaquin City Code (S.C.C.) Title 8, Chapter 5, subsection 2.A (§8-1-2.a) is amended as follows: *(underlined text is added, stricken text is deleted)*

- A. Any person desiring or who is required to secure utility service, when such services are available, shall complete an original Santaquin City utility application. Applicants must provide the following at the time of application:
1. Valid driver's license or other government issued photo identification; and
 2. Payment of fees, charges and deposits associated with application for service, as set forth in the uniform fee schedule. Applicants must also pay, in full, any unpaid balances owed on previous accounts in the applicant's name; and
 3. One of the following documents:

- a. Owners: Verification of ownership of the property through title documents.
 - b. Renters/Leasers: Renter's contract that verifies ownership of the property and verification that the owner of the property has an agreement for continued service on file with the city.
 - c. Contractor, Realtor, Agent, Or Property Manager: A copy of agreement between contractor, realtor, agent or property manager and the owner of the property authorizing the contractor, realtor, agent or property manager to act in behalf of the property owner.
4. In addition to the requirements above, applicant's desiring water services outside of city limits shall provide water rights to the city, sufficient for the property to be served, in accordance with S.C.C. 8-1-10 and prior to the service account being setup.

SECTION II. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word *ordinance* may be changed to *section*, *chapter*, or other such appropriate word or phase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished, sections of the ordinance may be re-numbered or re-lettered. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

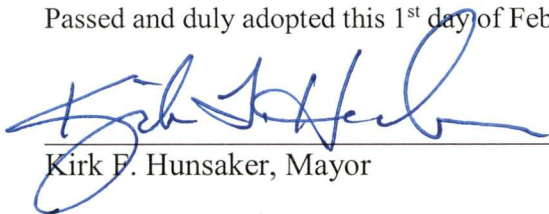
SECTION III. Severability

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

SECTION IV. Effective Date

The City Recorder shall deposit a copy of this ordinance in the official records of the City on February 2, 2017, and before 5:00 p.m. on that same day, shall place a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on February 2, 2017.

Passed and duly adopted this 1st day of February, 2017.



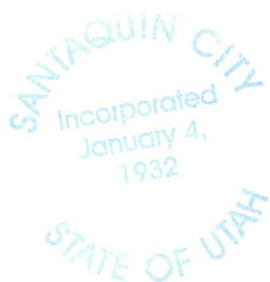
 Kirk F. Hunsaker, Mayor

ATTEST:



 SUSAN B. FARNSWORTH, Santaquin City Recorder

Council Member Broadhead	<i>Absent</i>
Council Member Hathaway	<i>Aye</i>
Council Member Jeffs	<i>Aye</i>
Council Member Miller	<i>Absent</i>
Council Member Stevenson	<i>Aye</i>

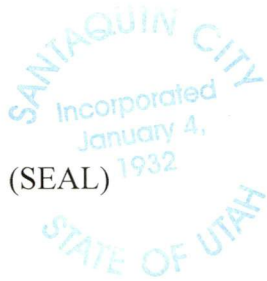


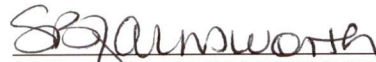
STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, SUSAN B. FARNSWORTH, City Recorder of Santaquin City, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the City Council of Santaquin City, Utah, on the 1st day of February, 2017, entitled

“AN ORDINANCE ALLOWING UTILITY SERVICE CONNECTIONS FOR NON-RESIDENT”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 1st day of February, 2017.





SUSAN B. FARNSWORTH
Santaquin City Recorder

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, SUSAN B. FARNSWORTH, City Recorder of Santaquin City, Utah, do hereby certify and declare that I posted in three (3) public places the ordinance which is attached hereto on the 2nd day of February, 2017.

The three places are as follows:

- 1. Zions Bank
- 2. Post Office
- 3. City Office

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

Susan B. Farnsworth
SUSAN B. FARNSWORTH
Santaquin City Recorder

The foregoing instrument was acknowledged before me this 2nd day of February, 2017, by SUSAN B. FARNSWORTH.

My Commission Expires: 10/1/17
Shannon Hoffman
Notary Public



Residing at: Utah County