

**EPHRAIM CITY
ORDINANCE ECO 23-11**

EPHRAIM CITY SEWER CODE AMENDMENTS

WHEREAS, the Ephraim City Sewer Code currently lacks clarity regarding the responsibility for sewer inspection, necessitating amendments to ensure transparent and efficient procedures for inspection, maintenance, and repairs within the city limits.

WHEREAS, it has become imperative to safeguard the integrity of Ephraim City's sewer system and resources by restricting sewer connections to properties located outside the city limits, thus preventing undue strain on the municipal sewer infrastructure.

WHEREAS, in light of changing environmental regulations and the need for sustainable wastewater management practices, it is necessary to amend the septic guidelines within Ephraim City to promote the safe and efficient operation of septic systems while protecting public health and the environment.

NOW THEREFORE, be it ordained by the Council of Ephraim City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “8.12.030 Sewer Service Regulations” of the Ephraim City Municipal Code is hereby *amended* as follows:

AMENDMENT

8.12.030 Sewer Service Regulations

A. Sewer Division:

1. **Creation:** The sewer division 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 division shall administer the operation and maintenance of the city sewer system.
2. **Responsibilities And Duties:** The public works director shall manage and supervise the city's sewer 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 the director's powers and duties.

- B. Use Of System Mandatory:** Ephraim City shall require connection to the sewer system if the sewer is available and within 300 feet of the property line of a property, within the city, with a building used for human occupancy. ~~It shall be unlawful for the owner or any other person occupying or having charge of any residence within the city which is 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.~~ Newly extended mains require ~~everyone~~ properties with a building used for human occupancy within three hundred feet (300') of the property line to connect onto the city

system within a reasonable amount of time at their own expense. Anyone installing a line must do so by following city construction standards. 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.

C. Fees, Delinquency, Nonpayment, Discontinuance Of Service: See ECC 8.12.010.

D. 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, or the public works director.
2. **General Contractor; 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 general contractor or 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 ~~board and the sewer superintendent (or either or both)~~ **Public Works Director** for review and approval. After such approval, the installation or work done shall be subject to inspection by the public works director or his agent. The city will not be held liable for any work performed by a noncity employee/agent.

E. Disconnection To System: Anyone seeking to demolish a building must do so by filing a demolition permit with the city planning director. When a unit becomes abandoned or demolished and service is no longer required, it is the owner's responsibility to cap the existing sewer connection according to city standards and pay all costs associated with such.

F. 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 the user's own expense. No person, except under the direction of the public works director, shall be allowed to dig into the street for the purpose of removing or repairing any sewer service pipe or main.
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 required by city construction standards.

G. Access By Division: The public works director and his agents shall have an unrestricted "easement" as defined in this title including 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.

H. Prohibited Uses And Regulations:

1. **Scope:** The city council with the advice of the utilities board 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.
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 and specifically approved in writing by the board. The construction of such tanks must be approved by the city engineer and the board, and must be subject to their mutual 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 board after consultation with the city engineer or his representative.
4. **Obstructive Materials:** It shall be unlawful for any person to empty or discharge into the public sanitary sewer any 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 on a reasonable basis.
5. **Drainage Waters And Destructive Materials:** It shall be unlawful for any person to connect with a public sanitary sewer any drain or pipe which discharges rainwater, cellar or surface water, acids, alkalis, 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 the 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 ~~board~~ and the Public Works Director and City Engineer shall be at all times subject to inspection and approval or condemnation. Upon condemnation by the public works director and City Engineer, the sewage from said tanks shall not be allowed to flow into sewer until satisfactory alterations have been made and the construction approved by the public works director and City Engineer

or his representative.

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.
7. **Ownership Of Connecting Lines:** The sewer lateral shall be the property and responsibility of the property owner served by the lateral. It shall be the sole responsibility of the property owner to inspect, clean, maintain and/or repair the sewer lateral for the entire length of the lateral up to, and including, the point of connection to the sewer main. The property owner is required to make contact with, and obtain permission from, the Ephraim City Public Works Director or City Engineer before installing, excavating or otherwise opening access to the lateral. Prior to backfilling the excavation, the ~~city~~ Public Works Director or City Engineer must inspect and approve lateral installations and repairs. The property owner shall hold the Ephraim ~~e~~City harmless and indemnify the city from any defect in the installation of the lateral and shall be responsible for any damage caused to his or her own property, or the property of others, caused by any obstruction in the lateral or in the installation of the sewer lateral.
8. **Sewer Manholes:** It shall be unlawful for any person to open any sewer manhole without permission from the public works director.
- I. **Service Outside City:** ~~Anyone located outside city limits, desiring to hook onto the city's sewer system may petition the city to do so in accordance with the requirements listed under ECC 8.12.020 Paragraphs N,1 through N,4 (water use and services, outside city limits) of this chapter. If a main trunk line is located adjacent to the property desiring to connect, the cost of connecting to the system, including impact and connection fees, will be charged to the property owner. The property owner shall also be responsible to properly disconnect existing septic tanks pursuant to county and state and municipal regulations:~~
 1. No new sewer connections outside of city limits will be granted from the time of this adopted ordinance, except for:
 - a. Ephraim City owned properties and public facilities,
 - b. Those connections which existed prior to this ordinance will be considered grandfathered.
 2. Rates for grandfathered sewer connections outside of city limits will be in accordance with the City Fee Schedule.-

(Ord. 14-02, 8-8-2014)

REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

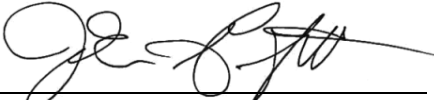
EFFECTIVE DATE This Ordinance shall be in full force and effect from October 4, 2023 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE EPHRAIM CITY COUNCIL OCTOBER 04, 2023.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Alder	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Wheeler	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Lund	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Anderson	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Stevens	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



John Scott, Mayor, Ephraim City



Candice Maudsley, Recorder, Ephraim City

