

**ORDINANCE NO. 2024-3**

**AN ORDINANCE TO UPDATE AND REPLACE PAROWAN CITY MUNICIPAL CODE 7.10.040 APPLICATION FOR WATER AND 7.10.080 SUBDIVISION WATER ASSESSMENTS**

**WHEREAS**, Parowan City is a corporation created and existing under the laws of the State of Utah and,

**WHEREAS**, Parowan City was required by the State of Utah to update its process of calculating water exactions for new customers and to go to a new source sizing model, and,

**WHEREAS**, The Parowan City Water Culinary Committee, otherwise known as the "Water Board", met and made a positive recommendation to update our process of calculating water exactions based on engineering and studies performed by Bowen Collins & Associates, in conjunction with City Staff; and,

**WHEREAS**, Parowan City Council wishes to update and replace the specified code with code that is consistent with current laws, rules, and best practices for water exactions and for connections with the City Culinary Water System.

**NOW THEREFORE**, Parowan City has authority, pursuant to Utah Code Ann. Section 10-8-84 to enact all (ordinances/policies) and pursuant to regulations with The Utah State Rules for Public Drinking Water Systems (including R309-105-12) and Plumbing Code and amendments as adopted by the State of Utah, that require cross connection control protection of all public drinking water systems which are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the City and its inhabitants, and for the protection of property in Parowan City.

**ORDINANCE REPLACING 7.10.040 APPLICATION FOR WATER AND 7.10.080 SUBDIVISION WATER ASSESSMENTS**

**7.10.040 Application for Water**

A. Application, fees, and water rights exactions - Any person desiring to obtain City water services shall make application therefore. Said application shall be filed with Parowan City, and shall state the location, kind of building, number of rooms, number of taps, and state the purpose(s) for which the water is to be used. An application shall be filed, connection and impact fees paid, and required water rights transferred prior to any connection to the City water system, upon which work may commence and water may be supplied to the applicant. Upon completion of the application, payment of connection and impact fees, and transfer of ownership of said water via the change application process with the Utah Division of Water Rights, the applicant shall be authorized to extend, at his own expense, a water service pipe from the existing water main to the premises covered by the application as directed by the Water Superintendent. All such work shall be done under the supervision of the City's Water Superintendent, City Engineer, and/or the Building Inspector. In the event an applicant desires a service pipe larger than the default ¾-inch meter (or one (1) ERC equivalent connection), the connection fee, impact fee, and water rights exaction shall be increased according to the City's most recently adopted source sizing standard adopted by the City Council. If the applicant desires to upgrade to a 1-inch meter only, the connection fee shall be increased according to the most recently adopted fee schedule and the applicant will be required to

pay a water development fee equivalent to the difference in proportionate increase in ERCs between a ¾-inch and a 1-inch meter multiplied by the market price for an individual water right. All meter sizes greater than 1-inch shall require the transfer of actual water rights. All applications for water shall contain an agreement signed by the applicant that he shall pay for the water and service at rates established from time to time by Ordinance of the City.

B. Number of Connections - An applicant will not be granted multiple connections for the same parcel or lot without prior approval of the Planning Commission. In no circumstance will multiple meters be allowed on a single parcel with the primary result being to avoid costs and/or water rights exaction to the detriment of the City. The guiding principle to be used when approving a combination of meters is to ensure that the City receives enough resources in the form of water rights, connection fees, and impact fees from the developer to be able to supply sufficient water to the development and to pay for the impact to the system.

Source Sizing Standard:

Meter Size	Factor	Water rights required for new parcel or lot created by annexation or subdivision	Water rights required for preexisting parcel or lot
3/4 inch	1.00	0.50	0.00
1 inch	1.67	0.83	0.33
1-1/2 inch	3.33	1.67	1.17
2 inch	5.33	2.67	2.17
3 inch	10.00	5.00	4.50
4 inch	16.67	8.33	7.83
6 inch	33.33	16.67	16.17

**7.10.080 Subdivision Water Assessments**

A. If the property connection is a new lot created by a lot split, subdivision or annexation after February 24, 2022, the applicant shall transfer to the City sufficient water to adequately service said connection(s) with a water priority of on or before December 31, 1949. If the number of new lots created by lot split or subdivision is no more than one additional parcel or lot total within a 5-year period, then the applicant has the option of paying a water development fee in lieu of transferring the required water right. The amount of the water development fee is determined by the Zoning Administrator and should be his/her best estimate of the market value for a single water right, at the time of application. The water rights required to be transferred to the City under this section shall be based on the City's most recently adopted source sizing standard per Equivalent Residential Connection (ERC) and shall be a minimum of one ERC per new lot created or annexed, see PMC 7.10.040. Then, if at the time of application for water on each lot, additional water rights may be required, depending on the size of the meter requested. Parowan City will not accept irrigation and surface water rights in exchange for underground water rights.

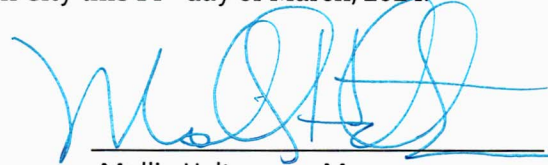
B. If the property connection is an existing buildable parcel or lot, as defined in PCMC Title 15 Land Use and Development, located within the City boundaries prior to February 24, 2022 and



makes application for water, the parcel or lot is entitled to the use of the water using the most recently adopted source sizing standard equivalent to one (1) ERC without the need to transfer additional water rights to the City. Any use requiring more than one (1) ERC will follow the most recently adopted source sizing standard requirements.

This ordinance shall be effective immediately upon passage and posting as required by law.

PASSED AND ADOPTED by the City Council of Parowan City this 14<sup>th</sup> day of March, 2024.



Mollie Halterman, Mayor

ATTEST:



Callie Bassett, CMC, City Recorder



COUNCIL VOTE:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilmember David Burton	X		
Councilmember John Dean	X		
Councilmember Sharon Downey			X
Councilmember David Harris	X		
Councilmember Rochell Topham	X		

