

Section 6.1.10. General Provisions.

- A. Fairfield, a municipal corporation of the State of Utah (the "Town"), is the owner of a culinary water distribution system for the purpose of furnishing culinary water to the residents of said Town under a system of facilities (the "System"); and whereas it is necessary and advisable to adopt an ordinance for the control of the System, which will supersede the existing ordinance or portions thereof that are inconsistent with this Ordinance which contains, without limitation, provisions for culinary water services and amends, and, where necessary, repeals water ordinances and regulations heretofore adopted in conflict with this document.
- B. Fairfield Irrigation Company had fiduciary responsibility for forty-six (46) of the total hookups in the Town Culinary Water System at the time of the Town's purchase of said System; and the Town purchased said System in an "AS IS" condition, with full knowledge of Fairfield Irrigation Company's requirements of perpetual responsibility for those same 46 hookups; and Fairfield will defer to Fairfield Irrigation Company in dealing with the aforementioned forty-six (46) hookups, to include hookup and application fees prior to January 1, 2011, and grandfathered contractual agreements. Fairfield Irrigation Company will defer to Fairfield in dealing with all hookups beyond the aforementioned forty-six (46) hookups to include infrastructure and water rights.
- C. Culinary Water System. The "Culinary Water System" of the Town of Fairfield (water system) is hereby created. It shall manage, operate and maintain the system:
1. To protect and provide for the public health, safety, and general welfare; 2. To provide adequate water service for present residents and future growth and development in Fairfield Town in accordance with the General Plan;
 3. To protect the Town's water supply in case of fire, flood, and other geologic and natural hazards;
 4. To provide adequate and efficient water facilities for current and future residents of the Town;
 5. To establish reasonable standards of design and an orderly water system layout; 6. To ensure that water facilities are available with sufficient capacity to serve proposed development; and
 7. To prevent pollution of streams and ponds, ensure the adequacy of drainage facilities, protect subsurface water, encourage the wise use and management of natural resources throughout the municipality, and preserve the integrity, stability, and beauty of the community and value of the land.
- D. Title and Penalty. This Title shall be known, cited, and referred to as the Town of Fairfield Water Ordinance/Code. Any person violating any of the provisions of this Title shall be guilty of a Class C misdemeanor, and upon conviction, shall be punished in accordance with Utah State law. Notwithstanding any provision or agreement to the contrary, the Town may terminate drinking water without notice where, in the Town's judgment, a clear emergency or serious health or safety hazard exists, for so long as such conditions exist, or where there is unauthorized use of, or connection to, the Town drinking water. No drinking water connection to any premises shall be installed or maintained by the Town unless the water supply is protected as required by Town, County, State, and Federal laws, regulations,

codes, and this Title. Water service found to be in violation of this Title shall be discontinued after written notification and due process of the violation.

- E. Director of Water. There is hereby created the position of "Director of Water" (Water Director) of the Culinary Water System.
- F. Duties of the Director of Water. The Director of Water shall manage and supervise the system pursuant to the provisions of this Ordinance and pursuant to resolutions, rules, and regulations adopted by the Town Council from time to time describing his/her powers and duties and directing the manner and frequency with which he/she shall make reports to the Town Mayor or his/her designated appointee. (see job descriptions) The Director of Water for Fairfield Town is vested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this ordinance.
- G. Rate Schedules and Connection Fees. The Town Council shall adopt and establish rate schedules, connection fees, rules, and regulations governing the water system. The Town Council shall, from time to time, affix, by agreement or resolution, such terms, and conditions as they deem proper, for the purpose of establishing special rates and conditions for users using exceptionally large amounts of water or making use of the System under exceptional circumstances. The Town Council is constituted as a Board of Equalization for water system rates to hear complaints and make corrections of any assessments deemed to be illegal, unequal, or unjust.
- H. Conveyance of Water Rights - Requirements for Development. The following requirements pertain to new development within Fairfield Town. These requirements are intended to be in harmony with the requirements of the Fairfield Zoning Ordinance and Subdivision Ordinance. An applicant for development approval shall satisfy the following requirements:
1. It is the intent of Fairfield Town to assure each future lot owner reasonable access to adequate water to make that lot productive; and, to initiate a program to provide funding and adequate water resources for a more efficient water distribution system; and
 2. All developers of subdivisions or landowners requesting a building permit within the boundaries of Fairfield Town shall provide adequate water to be distributed through Fairfield Town's drinking water system with appropriate easements along with a suitable grade by which to convey the water to each lot. Adequate water shall be assessed as follows, except as noted:
 - a. Well or subsurface rights which are capable of being transferred into the name of Fairfield Town.
 - b. Any other water right approved by the Town Council that is capable of being transferred into the name of Fairfield Town or adequately assigned to Fairfield Town through a warranty deed or other legal decree.
 - c. Those approved by the town council for a private culinary well do not need to transfer water rights to Fairfield town. However they still need to have the proper water rights.

- I. Private Systems and Private Wells. Private water systems and the use of private wells to provide water services are not allowed. See exceptions in Section 6.1.10. (J) and Section 6.1.20. (G).

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- J. Wells for Agricultural Purposes. A State-approved agricultural well permit does not convey or imply any right to a Fairfield culinary water connection. Wells drilled for agricultural purposes are allowed within Fairfield Town boundaries and must meet the following conditions:

1. The primary use for the water service will be for agriculture purposes only;
2. Lot size shall be ten (10) acres or more;
3. Must have adequate water rights for the agricultural purpose; and
4. Must comply with all state water regulations and have approval of all government agencies involved.

Section 6.1.20. Application for New Individual Culinary Water Connection.

- A. Any person or entity, who desires or is required to secure a new service connection to the Fairfield Town Culinary Water System, shall comply with the following requirements: 1. File a written and signed New Water Service Connection Application with the Water System for each service connection.

2. The water service connection application must be submitted along with proof of the applicant's ownership of, or right to transfer adequate water rights to serve the expected indoor and outdoor activities for the connection in an amount determined at the sole discretion of Fairfield Town Council, as described below:

- a. All residential applicants planning to use the culinary water system for indoor and outdoor water needs must provide the following water rights based on

the lot size:

1. 1 acre lots and smaller must provide 1.8 acre-feet (AF) of water rights to the Town;

2. 2-5 acre lots must provide 1.8 AF of water rights to the Town for the first acre of lot size, plus an additional 1.5 AF for each additional acre of lot size;

3. Water right requirements for residential lots larger than 5 acres shall be considered by the Town Council on a case-by-case basis, based on planned use and estimated water demands.

- b. Any residential applicant connecting to the culinary system for indoor use only shall provide a minimum of 0.3 AF per acre of lot size. Proof of alternative water rights (i.e. a private well, irrigation water rights, etc.) that will be used for outdoor applications—including but not limited to irrigation and stock watering—must be provided with the water service connection

- application. c. All light industrial applications must provide a minimum of 0.9 AF per acre of developed land.

- d. All commercial and retail applications must provide a minimum of 1.8 AF

per acre of developed land.

e. Water right requirements for non-standard usage (i.e. not listed above) shall be considered by the Town Council on a case-by-case basis, based on planned use and estimated water demands.

f. All plats must include a note indicating the volume of water provided to the Town and associated with each lot. This will ensure potential buyers are

informed of the available water rights associated with each lot.

g. The Town Council reserves the right to require additional water rights be supplied if water use is expected to exceed water right volumes listed on the plat. This can be done at any stage of the development process.

h. [Appeals process to be developed by the Town's legal council if desired.]

3. The applicant will be responsible for payment of all associated impact fees and connection fees. Fairfield Town will follow Utah State Code 11-36a-601 and Title 9.9 Impact Fees in the accounting of these fees.

B. Transfer of Water. The applicant shall also be responsible to deed the water rights to the Town and obtain approval from the State Water Engineer to transfer the point of diversion for the water right to Fairfield Town's designated point of diversion. The water right is required to be a municipal or culinary water right within the Cedar Valley.

C. Building Permits and Water Applications. Plans for the new service connection must be approved by the Town Council prior to construction and a pre-construction meeting between the developer, contractor, and the Town must be conducted before any water line construction begins.

D. Plans shall be submitted and approved prior to the pre-construction meeting and shall comply with the Fairfield design standards.

E. Once approved, the owner has the option to hire a contractor or pay the Town to take the requested new service connection from its water main to the property line where the new service meter shall be located. The Town will contract with a certified drinking water system contractor to install the water line from the existing mainline to the owner's property line. The cost of this installation will be borne by the new connection owner. If Fairfield Town deems the connection is a major extension of the system, the connection owner will secure the contractor to install the new line with Fairfield Town's approval of said contract, materials, and line size used.

F. The following process for water rights transferred to Fairfield Town shall be completed for all new developments. New developments consisting of one single family residential lot will not receive a building permit until this water rights transfer process is completed. New developments larger than one single family residential lot or consisting of non-residential development will not receive plat approval from Fairfield Town until this process is completed.

1. If the applicant is drilling a well, proof of ownership of the required water rights shall be submitted to the Town and approved by the Town prior to issuing the applicable building permit or plat approval (see Section 6.1.20. (F)); and

2. There is a one (1) year time limit for completing the approval process of water transfer before the issuance of building permit. If a water transfer is not completed within the one (1) year time limit then any reservation on said building permit for that property will be lost along with any deposit paid to hold the building permit.
- G. Private Systems and Private Wells. Private water systems and the use of private wells to provide municipal water services are **not allowed** except at the discretion of the Town Council, in the following instances:

1. The applicant is constructing one single family residential home on a legal lot that lies farther than three-hundred (300) feet from the current water system regardless of the actual building location on the property. This exception is not valid for developments larger than one single family residence.
2. Allowance of the private system or private well is more compatible with the land use development goals of the Town Council (i.e. environmental preservation, construction of a necessary public facility significantly removed from the current water system, limitation of the number of dwelling units in a given area where connection to the municipal water system could result in more dwelling units than are desired by the Town Council). The Town Council is under no obligation to approve the use of a private system or private well and no precedent will be established by a previous Town Council decision;
3. The cost to the applicant is prohibitive to expand the current municipal water system, connect to the current municipal water system, or create facilities capable of linking to the Fairfield Town water system. The applicant must provide documentation to the Town Council that shows the cost disparity between construction of a new private well and extension of the water system to the applicant's property;
4. Property lies within a land development Zone requiring minimum (1) acre lots or larger; or
5. An existing culinary well exists on the property prior to 2010.
6. If a well is used for a culinary water supply it must reside on the same parcel of land as the structure.

H. Water Main Line Extensions and Connections. Waterline extensions and connections must adhere to the following:

1. It shall be unlawful for any person to make any extension of any pipe or water fixture attached to the waterworks system without first obtaining a permit from the Water Department;
2. It shall be unlawful for any person other than duly authorized employees of the Town to open or close any water gate valve in connection with the water system;
3. When an applicant desires or is required to install water connections and extensions for a subdivision or development, the applicant may voluntarily extend the water main line beyond the distance required for connection. The applicant for a project which requires the extension of a water main line shall pay the cost of the extension. In the event that the extension is an identified system level improvement, the Town will provide impact fee credit for the amount of

system-level improvement installed. If the project cost exceeds the impact fee liability, the City and Applicant can negotiate a reimbursement agreement for excess cost.

4. No person shall construct a water main line extension without first having plans for the mainline extension approved by the Town Engineer:
 - a. The applicant shall be bound by the rules, regulations, resolutions, or ordinances enacted now or hereafter by the Town applicable to the Town's System;
 - b. If an applicant installs a water mainline extension to serve a parcel of property, the mainline extension shall originate at the nearest adequate,

existing water main and extend completely across the parcel of property being developed along all public street frontages;

- c. Boring of pipelines under roadway is required unless the town Council deems it otherwise due to extenuating circumstances;

- d. The applicable cost of an extension shall include replacement of all road surface and other infrastructure or appurtenances damaged or removed for installation of new extensions in accordance with the Design Guidelines and Standard Specifications of Fairfield Town (including, but not limited to fences, landscaping, utilities, etc.);

5. The main purpose for which the new water service connection will be used must be for culinary use. The location of the service connection will be decided solely by the Town. The Town must also approve the length of the addition to the System, pipe size, and the number of fire hydrants, isolation valves, and other appurtenances as necessary installed along the line before construction of said line begins. All work shall be performed by a licensed, bonded and insured Contractor, bonded with the Town. All work shall be performed and inspected according to Fairfield construction specifications. A utility easement extending the length of the property must be recorded with Utah County;
6. Any subdivider or developer who desires or is required to install water connections and extensions for a subdivision or development must enter into a Master Development Agreement with the Town. Said agreement shall constitute an application for permission to make the extensions and connections and shall specify the terms and conditions under which the water extensions and connections shall be made. Said agreement shall also include any and all payments that shall be required. No precedent will be established by a previous Town Council agreement. Whenever an extension of a water line benefits property which is adjacent to the extension or extended from the end of an existing extension, other than that which is owned by the applicant, a Master Development Agreement may be entered into;
7. A Master Development Agreement shall include the excess capacity (if any), formula, and terms for any reimbursement. A Master Development Agreement will

- be identified prior to the beginning of construction. The Town will then enter a deferred credit on its books and records in the amount of the actual prorated cost of extension across the front of said benefited property and shall reimburse the applicant, his assignee or successor, upon collection by the Town of charges assessed against such benefited property as service connections are made; and
8. All such reimbursements shall extend for a period determined by the Town Council from the date of the completion of the extension and acceptance by the Town or until the initial prorated cost of the extension along the frontage not owned by the applicant shall have been refunded. The amount of an "Extension Charge" to benefited property shall be determined by the Town Council.

Section 6.1.30. Billing.

- A. Payment of Bills. Billing for water use shall be rendered by the 5th day of each month. Water bills shall be due and payable on the last day of each month. Any payment received after

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the due date shall incur a late fee as listed on the Fairfield Town fee schedule. If bills are not paid within sixty (60) days of the due date, the Town may cause the water to be turned off. All delinquent water charges must be paid to the Town or arrangements must be made for their payment in a manner satisfactory to the Town before the water is turned on again. In addition to all delinquent water charges, the user shall pay any extra charges for turning the water on and off as the Town Council may have established by resolution. Furthermore, in addition to such payments and penalties, a delinquent user may be required to make and file a new application and deposit. The Director of Water is hereby authorized and empowered to enforce the payment of all delinquent water charges by an action of law in the name of the Town of Fairfield.

- B. Rate schedule. A rate schedule will be set by the Town Council by resolution and will appear on the Town Fee Schedule
- C. Return Check Policy. A return check fee will be charged, as stated and set by resolution, for any check submitted in payment to Fairfield's water system that is returned by the bank unpaid.
- D. Resuming Use after Turn-Off Prohibited. After the water has been turned off on the premises for non-payment of culinary water charges, or other violations of ordinances, rules, regulations, or resolutions pertaining to the water supply or the System, it shall be unlawful for any person to turn the water on or to allow the water to be turned on or used in any way without the authorization of the Water Director or the Town Clerk/Recorder. See Section 6.1.70.
- E. Use Without Payment Prohibited. It shall be unlawful for any person, either by himself/herself or through his/her family, servants or agents to utilize the water system without paying, therefore, as herein provided. It shall also be unlawful for any person, without authority, to open any pipe, line, connection, stopcock, valve or other fixtures, attached to the system unless it is done pursuant to proper application, agreement, permit, or resolution. A violation of this section shall constitute a Class C misdemeanor and may be punishable as such.
- F. Discontinuance of Service. Any customer desiring to discontinue service shall notify

the Town in writing at least ten (10) days before the date when such service shall be discontinued. Any credit balance in favor of the customer as a result of an advance payment of bills or a deposit made will be refunded upon discontinuance of service.

Section 6.1.40. Water and Water Line Regulations and Restrictions.

- A. Water Restrictions. The Mayor is hereby authorized and empowered during times of emergency in the Town to issue on behalf of the Town, and at the direction of the Town Council, an order restricting the use of water. The order shall be given by proclamation and signed by the Mayor.
- B. Spring Protection Zone Concentrated. Sources of pollution, including, but not limited to, septic tanks, drain fields, garbage dumps, pit-privies, corrals, etc., shall not be allowed within the spring protection zones. Spring protection zones include all land within fifteen hundred (1500) feet of a spring collection area. Sewer lines may be permitted within spring protection zones at the discretion of the Town Engineer. Sewer lines shall be greater than

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three hundred (300) feet from a spring. The provisions of this Ordinance shall be superseded by State or Federal statutes.

- C. Maintenance of Water Mains, Meters and Service Connections. The responsibility of maintenance of water mains and the property being serviced by the new water service line is borne by the applicant until the Town accepts, by dedication, the new water line. Service connections therefrom shall be as follows:

1. Once dedicated, all water mains and service connections which are located on public property shall be maintained by the Town, except that the Town will not maintain a service connection at any point between the meter and the facility it serves. Service lines from the meter to the facility shall be kept in good repair and free from leaks by the owner of the property serviced;
2. Water mains and service lines which are located on private property shall be maintained and repaired by the owner and not by the Town, provided, however, that water mains which are on private property, located within a utility easement, and part of the Town water distribution system shall be maintained and repaired by the Town. Water service to or through main lines or service lines on private property may be discontinued if the owner of the lines fails or refuses to repair the lines when reasonably requested by the Town; and

3. The Town shall maintain all water meters including those on private property. The Town shall have the right to enter private property to inspect, repair or replace water meters.

D. Service Line Connections Service. Line connections shall not be made to the Town water distribution system or to main water lines on private property without the authorization of the Water Director. The party making the connection shall be required to obtain a permit and pay the appropriate fees. Expense of trenching, line, meter set and meter box shall be borne by the applicant. This will include trenching from the new service location or building to the Town main. Inspection shall be by the Water Director who will give final approval of the installation. Water service connections including the main line tap, service line, meter box, yoke, ring and lid, must be installed by a qualified and licensed plumber or a prequalified utility contractor at the expense of the owner. No

tapping or connecting to water mains will be allowed in temperatures below forty (40) degrees Fahrenheit. E. Separate Service Lines Required. Service lines must be arranged to supply each separate unit or premises with a separate meter placed near the street curb. Where water is now supplied through one service to one or more units or premises, the Town may either refuse to furnish water until separate services are provided, or continue to supply water on the condition one person shall be responsible to pay for all water used through the service. F. Abandoned Service Lines. When a water service line is abandoned in favor of a different service line, the old service line shall be disconnected from the main line and the old service tap shall be plugged at the main line. The cost of all work shall be the responsibility of the owner of the property being serviced by the new water service line. Application for abandonment and new connections must be applied for. All work described in this chapter shall be inspected before backfilling.

G. Moving or Replacement of Water Lines. In the event that the Town Council determines that any component of the water system must be moved or replaced, and as a result of such a move or replacement, a customer's connection must be moved, the Town shall bear the

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cost of such a move or replacement which applies to main lines up to the property boundary of the customer and the cost of reconnecting or establishing such new branch or branches from the house of the customer to his property boundary.

H. Unauthorized Users. It shall be unlawful for any water service user to permit any person from other premises or any unauthorized person to use or obtain water service regularly from his premises or water facilities, either outside or inside his premises.

I. Cross Connections and Backflow Prevention. It shall be unlawful for any water user to intentionally or through negligence cause there to be a cross connection of Town culinary water with any other water source. The Town Building Official shall review all new construction plans to ensure that there are no unprotected cross connections. Furthermore, a Town culinary water source shall not be connected by pipe, hose or submersion, or brought in contact with another water source. Whenever the Town deems that a service connection's water usage contributes a sufficient hazard to the water supply, installation of an approved backflow assembly shall be required. Backflow prevention assemblies shall be installed by the Town as deemed necessary. The Town shall test all backflow assemblies within ten (10) working days after initial installation in order to determine adequacy. All backflow prevention assemblies existing at the time this Ordinance/Code is adopted shall be subject to the periodic inspection and testing required by this Ordinance/Code.

J. Water Meters. When a new service line is installed connecting any unit or premises to an unmetered private line which is supplied water from Fairfield Town, or when a service pipe is connected directly to the water system of the Town, a water meter must be installed. Regulations, procedures for any water line connected to the Town system are as follows:

1. All water meters shall be installed in easily accessible locations selected by the Director of Water or the Town Engineer;
2. Water meters shall be furnished and installed by Fairfield Town;

3. Water meters shall not be installed until new main lines have been pressure tested, disinfected, and approved and service lines, including meter boxes and appurtenances, have been inspected and approved;
4. No meters shall be installed until all applicable fees have been paid including water connection fees and main line extension fees as appropriate;
5. If any meter malfunctions and fails to register, the water shall be charged for the time the meter is out of order at the average daily rate as registered by the meter for the previous meter reading period when the meter was in order;
6. It shall be unlawful for any person to tamper with, modify, or deface in any manner a water meter or meter box. Modifications or connections to piping inside the meter box are prohibited or at any point on the service line between the meter and the distribution main. Any such connections shall be removed at the expense of the owner of the property being served;
7. Additionally, it shall be unlawful for any person or persons to deface, mutilate, tear down or in any way destroy any signs or markers erected by the department; and 8. All damages or injury to the lines, meters or other materials of the Town on or near the customer's premises caused by any act or neglect of the customer shall, at the discretion of the Town, be repaired by and at the expense of the customer, and the

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customer shall pay all costs and expenses, including a reasonable attorney fee, which may arise or accrue equipment of the culinary water system or collect such costs from the customer.

- K. Use of Unmetered Water. Use of un-metered water through any service line, main line, or fire hydrant is prohibited unless authorized by the Town Council. Use of a "jumper" in place of a meter to convey water through a service line is prohibited.
- L. Water line installation. All water lines shall be installed and completed before a building permit is issued.
- M. Use of Metered Water. All use of water shall be metered unless otherwise authorized by the Town Council. Those wishing to use the water shall have a Fairfield Culinary water connection or a valid water permit issued by the Fairfield Town Water Department. 1. Culinary Water Connection.
 - a. Water usage shall be confined to properties within the Fairfield Town Boundaries;
 - b. Primary use is for culinary water for residential or commercial buildings;
 - c. One water connection is required per residential or commercial building.2. Water Permit.
 - a. Water usage shall be confined to properties within the Fairfield Town Boundaries. (See exceptions below.)
 - b. A water permit may be issued by the water department for the following uses:
 - i. Construction; Building Permit Required.
 - ii. Dust Control; Permit Required.
 - iii. Livestock watering.
 - c. Use shall be a short-term or one-time use.
 - d. Exceptions. Livestock Watering.

- i. The watering of livestock may be permitted both within Fairfield Town boundaries and surrounding areas.
 - ii. Water may or may not be metered for the watering of livestock.
 - iii. Use may be short-term.
- e. Restrictions.
 - i. Watering of fields or land is not allowed.

Rev. ord. 04112023-2, passed 4-11-2023.

Rough Draft of Water Ordinance 25-08-03

section 10.11.260. West Desert Airpark Zone (WDAZ)

Section 10.11.260.1. Purpose.

To ensure the safe and compatible integration of aviation-related uses with limited and light industrial development. The West Desert Airpark Zone (WDAZ) is intended to provide reasonable regulations related to the airport, enhance aviation activity, economic opportunity, and rural character, while safeguarding public safety, minimizing land use conflicts, and preserving the long-term viability of the airpark and surrounding community. This ordinance will use the Airport Land Use Guide as “amendment A” that was provided by West Desert Airpark to the planning commission and was composed by Utah Department of Transportation in 2018. This includes recommendations and definitions provided by the Airport Land Use Guide.

Section 10.11.260.2. Definitions.

The definitions provided in this section shall be specific to this section only. In the event of conflict between a definition in this section and a definition in Title 12., the definition in this section shall prevail.

Airpark. Means a privately owned facility that combines aviation-related infrastructure (such as a runway, taxiways, and hangars) with residential, commercial, or light industrial uses that support aircraft operations. Airparks are typically designed to accommodate small, general aviation aircraft and may allow direct aircraft access to residences or businesses. Airparks may be publicly accessible or privately restricted, and are subject to Fairfield Town zoning and FAA regulatory compliance.

Airpark Traffic Patterns and Altitudes. Means published procedures describing standard aircraft arrival and departure routes, pattern altitudes, and no-fly zones over sensitive areas. These patterns must:\n- Avoid overflight of hazards, obstructions, and any residential houses or property that is owned by a resident of Fairfield. Flight patterns need to be documented in FAA Chart Supplements and published on the airpark website;\n- Include visual indicators (e.g., segmented circles or runway markings) for traffic direction and preferred approaches.

Airport. Means any area of land or water that is used or intended to be used for the landing and takeoff of aircraft, including associated buildings, structures, runways, taxiways, and facilities. An airport may be publicly or privately owned and operated, and may serve public, commercial, or private aviation purposes. For purposes of this ordinance, “airport” includes any facility recognized by the FAA with an assigned location identifier and subject to FAA operational, safety, and land use regulations.

Small Airport. Means LUPG defines a small airport as a runway less than 5000', less than 10,000 operations, visual approaches only, airport reference code (ARC) A-I/B-I

Operations - Means aircraft activity at the airpark or airport, defined as either a takeoff or a landing. Each takeoff or landing counts as one operation. Touch-and-go maneuvers, practice approaches, and stop-and-go landings are each counted as two operations (one landing and one takeoff). Annual and daily operation totals are used to determine the level of activity and ensure compliance with any operational limits established by ordinance or FAA designation.

Accessory Structure. Means a subordinate building or structure on the same lot as a principal use, which is customarily incidental and related to the principal building or use. Examples include utility enclosures, maintenance sheds, or small storage buildings.

Aircraft (Manned). Means any device capable of sustained flight in the atmosphere that is designed to carry one or more human occupants and to be operated or navigated by a pilot. This includes airplanes, helicopters, gliders, airships, and other vehicles used for civil, recreational, or commercial aviation purposes.

Airport. Means the West Desert Airpark or any area of land designated and used for the landing and taking off of aircraft.

Airport Hazard. Means any structure or use of land which actually or potentially obstructs the airspace required for the safe flight of aircraft in landing or taking off at an airport.

Airport Hazard Area. Means any area of land or water under the imaginary surfaces as defined in the airport overlay upon which an airport hazard might be established if not prevented as provided in these regulations.

Airport Influence Area. Means an area within 5,000 feet of an existing airport runway in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses.

Airport Overlay Zone. Means a secondary zoning district around an airport designed to protect the public health, safety, and welfare which protects property owner land values near an airport through compatible land use regulations as recommended by the Federal Aviation Administration; and protects aircraft occupant safety through protection of navigable airspace. Regulations imposed by the overlay zone are in addition to the primary zoning district land use regulation of property.

Aircraft Construction The fabrication and assembly of new aircraft or aircraft components, including airframes, avionics, and structural elements, performed in compliance with FAA manufacturing standards.

Aircraft Parking and Tie Downs Designated outdoor or indoor areas for the temporary or long-term parking of aircraft, where aircraft are secured using tie-downs, chocks, or mooring systems.

Aircraft Service and Sales A facility that provides maintenance, inspection, and minor repairs for aircraft, and may include the sale or brokerage of new or used aircraft and related equipment.

Airframe Repair and Painting The maintenance, restoration, or cosmetic finishing of aircraft fuselage, wings, stabilizers, and other structural components, including paint, coatings, and corrosion control.

Unmanned Aircraft (drone) means a device or contrivance that is capable of sustained flight in the atmosphere without an onboard human pilot, and that is operated remotely or autonomously. Also known as a drone or unmanned aerial system (UAS), these aircraft are regulated under

applicable FAA rules and may include recreational drones, commercial UAS, and surveillance or cargo drones.

Airside Access. Means security measures and protocols to regulate entry to areas of an airport where aircraft operations take place, including runways, taxiways, aprons, hangars, and boarding areas.

Air School. Means any person(s) engaged in offering instruction in aeronautics, either flying or ground subjects, or both, for hire or reward, and who employs other persons for such purposes.

Avigation Easement. Means a legal right to access and permit unimpeded aircraft navigation and flights over property subject to the easement and includes the right to create or increase noise or other effects that may result from the lawful operation of aircraft; and it provides for the removal of any obstruction to such overflight.

Based Aircraft. Means an aircraft that is regularly housed, stored, or maintained at a specific airport or airpark for a majority of the calendar year. This includes aircraft stored in hangars, tie-downs, or shelters on the property, and typically reflects the aircraft owner's primary operating location. An aircraft is considered "based" if it is documented as such in FAA records, reported by the facility owner, or verified through lease agreements or observable presence.

Caretaker Dwelling. Means a residential unit located on the same parcel as a non-residential use, intended for full-time occupancy by an individual or household responsible for the care, security, or operation of the primary use or facility. Caretaker dwellings are accessory in nature and must be directly related to the ongoing maintenance or oversight of the property. Only one caretaker dwelling is permitted per airpark or non-residential development, subject to conditional use approval.

Café. Means a small food service establishment serving beverages, light meals, and snacks, typically with limited kitchen facilities and casual seating for onsite consumption.

Controlled Development Zone. Means restrictions on crops that attract birds, require buildings over 200' in height to register with the FAA, control lighting up to the sky and limit residential development.

Crew Rest Facilities. Means separate non-residential spaces within a condominium project owned by separate entities for the purposes of conducting business or providing apartment space for short-term stays for persons while temporarily working or attending school in the vicinity.

Pilot resting facilities or aircrew quarters in hangars are defined as areas designed for overnight and/or resting periods for aircrew,

Culinary Water means water that is treated and approved by the Utah Division of Drinking Water for human consumption, cooking, food preparation, and other domestic household uses. Culinary water must meet all applicable state and federal drinking water quality standards and is typically delivered through a pressurized, piped distribution system operated by Fairfield Town.

Daytime Operations means all aircraft activities and procedures, including takeoffs and landings, that occur between official sunrise and sunset, during periods when natural light provides sufficient visibility for safe operation without the use of runway lighting or navigational

aids. These operations are limited to daylight hours and do not include night or low-visibility operations.

Engine Repair The inspection, overhaul, or servicing of aircraft engines or propulsion systems, including removal and installation, conducted in accordance with FAA-approved maintenance procedures.

Evacuation and Emergency Response Plan means a written plan that outlines how people, aircraft, and vehicles will safely evacuate an airpark or airport during an emergency. It includes designated evacuation routes, assembly areas, communication procedures, and coordination with local fire, medical, and law enforcement agencies.

Fuel Storage and Fueling Facilities Tanks, pumps, and infrastructure used for storing and dispensing aviation fuel, subject to FAA, fire code, and environmental regulations. May include above- or underground systems.

Landside access Security measures and protocols to regulate access to areas of an airport open to the public, including parking lots, administrative offices, industrial, and commercial spaces.

Limited development zone The width of the airport's longest runway and extends 3200 feet beyond either end of the runway. Residential uses in this zone are prohibited. However commercial and industrial uses are appropriate.

Obstruction Any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in this chapter.

Office and Administrative Buildings Structures used for airpark-related management or support operations, including business offices, tenant services, flight planning centers, or aviation service companies.

Primary Runway A designated main runway used for takeoff and landing at an airpark or airport. It is the only improved and maintained landing surface authorized for regular aircraft operations and is limited in length and load to accommodate only small aircraft.

Private Air School A for-profit educational entity offering flight or ground training for student pilots, operating under FAA Part 61 or Part 141 certification.

Public Air School An aviation education program operated by a public school district, university, or government agency, providing aeronautical instruction or flight training to students.

Restaurant An establishment that prepares and serves meals and beverages to customers, with full kitchen facilities and seating for on-site dining.

Runway A defined surface within an airport that is prepared for landing and takeoff of aircraft along its length.

Runway Design Standards All runway and aircraft movement areas shall be designed and constructed in compliance with **FAA Advisory Circular AC 150/5300-13B** (*Airport Design*) and

AC 150/5320-6G (*Airport Pavement Design and Evaluation*), including all applicable appendices and future revisions.

Runway Length Limit The primary runway shall not exceed **5,000 feet** in total length, including paved and safety areas. This limitation ensures the airpark accommodates only small general aviation aircraft and avoids future expansion to larger commercial operations.

Runway Security Gates and Fencing A continuous perimeter fence shall be installed around the entire length and width of the runway and its safety areas, with **gated access points** for authorized personnel and aircraft only. Fencing shall comply with FAA wildlife hazard and security guidelines.

Runway Weight Limit The runway shall not exceed a weight-bearing capacity suitable for a Utility Runway, with a single-wheel load not to exceed 11,999 pounds, as defined by FAA AC 150/5320-6G.

Shell Hangars Partially or fully enclosed structures built for aircraft storage that lack interior finishes or utility improvements. Intended to be completed by the tenant or purchaser by completing a Tenant improvement application and permit.

Small Motel A lodging facility with no more than 20 individual guest rooms or suites, offering short-term accommodations for pilots, crew, or visitors. May include limited amenities.

Small Aircraft An aircraft with a maximum certificated takeoff weight of **12,500 pounds or less**, as defined by the Federal Aviation Administration (FAA), typically used for general aviation operations.

Short-term Rental Any property offered for lease or rent as transient housing for a term of less than 30 days.

Special Events Temporary activities held on airpark property, such as airshows, community gatherings, educational programs, or sales exhibitions. Requires separate review and approval for public safety and logistics.

Structure An object including a mobile object, constructed or installed by man, including, but not limited to, buildings, towers, cranes, smokestacks, earth formations, and overhead transmission lines and landfills.

Tavern An establishment licensed to serve alcoholic beverages for on-premises consumption. May include bar seating, limited food service, and must comply with all local and state alcohol regulations.

Tenant Improvement Alterations, upgrades, or modifications made to the interior or exterior of a building or hangar by a tenant or owner to accommodate the specific operational needs of an approved aviation-related use. TI work may include structural, mechanical, electrical, plumbing, or cosmetic changes and must comply with all applicable building codes, zoning requirements, and FAA safety regulations. A Tenant Improvement Permit must be obtained prior to commencement of any such work

Tree Any object of natural growth.

Utility runway A runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight and less.

Visual Flight Rules (VFR) A set of FAA regulations governing aircraft operations in weather conditions clear enough to allow pilots to operate the aircraft with visual reference to the ground and other obstacles, without reliance on instrument-based navigation. All operations at the airport shall be limited to VFR conditions only.

West Desert Airport owns 3 parcels within Fairfield Town

59:113:0021 which consist of 41.12 acres and where all hangers permitted as S-1 buildings are located.

59:113:0033 is 54.225 acres

59:113:0034 is 109.27 acres Both these parcels have a runway that connects running North and South on the west side of both these parcels.

West Desert Airport is permitted as a Small Airport and shall be regulated using the standards and definitions recommended by the Utah Airport Land Use Guide ([attachment A](#))

1. Runway less than 5000 feet
2. Less than 10,000 annual operations
3. Visual approaches only
4. Airport Reference Code (ARC) A-I/B-1
5. Less than 20 based aircraft

These standards shall also govern the Airport Overlay Zone, including requirements for aviation and restrictive easements. All such easements must be voluntarily purchased by West Desert Airport from affected property owners and approved by the Town. Fairfield Town shall not be responsible for acquiring or imposing these easements, as doing so would constitute an unconstitutional taking of private property.

B. GENERAL STANDARDS

- 1) Any use not specifically permitted in this chapter shall be prohibited.
- 2) All runway, taxiway, and aircraft movement areas shall be designed and constructed in compliance with FAA Advisory Circular 150/5300-13B [Airport Design] – Change 1 (August 16, 2024), including all errata current as of April 3, 2025.”and 14 CFR Part 77.
- 3) All development is subject to the Airport Overlay Zone ([10.11.275](#)).
- 4) All industrial development must meet the requirements and standards of the light industrial west zone.
- 5) All residential development must follow AR-1 zone and building requirements.
- 6) The Airport Overlay Zone shall be regulated using the recommended template provided in the Utah Airport Land Use Guide, with standards based on the runway length and classification as a small airport.

- 7) All uses within the Airpark Zone must be directly related to aviation or aircraft operations. Non-aviation-related uses are prohibited unless explicitly allowed as accessory or conditional uses that support the primary aviation function of the airpark.
- 8) Evacuation plan that includes all areas within the master site plan.
- 9) Evacuation and Emergency Response Plan shall be for all development within the Airpark Zone shall submit an Evacuation and Emergency Response Plan as part of the Master Site Plan. This plan shall identify procedures for the orderly evacuation of people and aircraft in the event of fire, fuel spill, hazardous materials incident, aircraft accident, or natural disaster. The plan shall include evacuation routes for aircraft and vehicles, emergency communication protocols, assembly points, and coordination with Fairfield Fire Authority and Utah County emergency services.
 - a) The plan shall be reviewed and approved by the Fairfield Fire Authority and shall comply with the standards of:
 - FAA Advisory Circular 150/5200-31C (Airport Emergency Plan);
 - NFPA 424 (Guide for Airport/Community Emergency Planning); and
 - International Fire Code §§ 403.10.2.1 and 404 (as adopted by Utah State Fire Code).

The plan must be updated as required by changes in layout, occupancy, or emergency procedures, and shall be available to emergency responders at all times.

1. All development within the Airpark Zone shall receive culinary water service from a town-approved water system.
2. All development shall follow the standards in Fairfield towns water ordinance
3. All development within this zone shall comply with fairfield code, International fire code, State international Building code, FAA recommendations and state recommendations.
4. Caretaker dwelling (1 per airpark, with aggregated hangar floor area requirement)
5. Access to the interior of the Airpark. All dwellings, hangars, commercial establishments, or other facilities occupied by humans shall gain access from an official Town road which follows the APWA standards

C. USES ALLOWED IN THE AIRPARK ZONE

All uses and structures within the Airpark Zone must be directly related to aviation and serve an aviation-specific purpose. No use or structure shall be permitted without obtaining a proper building permit or an approved Tenant Improvement (TI) permit, as required by Fairfield Town's building regulations.

Uses	Permitted	Special use	Conditional use
Accessory structure	?	?	?
Aircraft construction		X	
Aircraft parking and tiedowns	X		
Airframe repair/painting		X	
Caretaker dwelling			X
Cafe			X
Crew rest facilities	?	?	?
Engine Repair		X	
Fuel Storage and fueling facilities		X	X??
Office and administrative buildings	X		
Private air school	X	X	
Restaurant		X	
Service and sales		X	
Shell hangars	X		
Small motel			X
Special events		X	
Tavern			X
Aircraft museum	x		

D. RESIDENTIAL USE

Single family Residential hangar homes are allowed in a portion of the airpark. This zone must be outside the Limited Development Zone of the runway and not used for light industrial use.

The following requirement shall apply:

6. 1 acre lots minimum not including the roadway;
7. Shall meet all subdivision requirements of Fairfield's subdivision ordinance
8. Shall all have an attached hangar with private access to taxi way. No shell hangars are permitted in the residential area.
9. Hangar homes must be aesthetically adhesive to the hangar. .
10. Shall meet all requirements of the AR-1 zone including Frontages and setbacks
11. Shall not be within the limited development zone
12. Residential layout: max 25% of land dedicated to the residential area outside of the limited development zone and the runway protection zone.
13. Shall **require** a development agreement
14. Shall include a HOA
15. Shall have ingress and egress to a public road.
16. Where feasible, open space parcels shall be designed to be utilized by and made available for general public uses.

E. CONDITIONAL USES (Subject to Chapter 10.17.100)

F. RUNWAY DESIGN & OPERATIONS

1. One primary runway; limited to small aircraft, not to exceed 5000' in length
2. Design per FAA AC 150/5300-13B and AC 150/5320-6G

FAA AC 150/5300-13B – Airport Design States: “The RPZ’s function is to enhance the protection of people and property on the ground. This is achieved through airport owner control over RPZs. Such control includes clearing RPZ areas of incompatible objects and activities. Control is preferably exercised through the acquisition of sufficient property interest in the RPZ.”

Design standards FAA AC 150/5190-4B – Land Use Compatibility Guidance Advises “When practical, the airport sponsor should own the entire RPZ. If fee simple is impractical, sponsors must obtain avigation or restrictive easements sufficient to control incompatible uses”.

3. Runway weight limit: 11,999 lbs single-wheel load
4. Pavement Design. The runway weight bearing capacity shall not exceed the standards of a Utility Runway with a single wheel bearing capacity not to exceed 11,999 lbs as per FAA AC 150/5320-6G, Airport Pavement Design and Evaluation.
5. Visual Flight Rule (VFR) operations only; daytime operations only
6. Hours of Operation. The airport shall be open for daytime operations only.
7. Airpark shall restrict operations to fewer than 10,000 operations per year, 28 per day
8. Security gates and fencing around entire perimeter of runway

9. Appropriate airpark traffic patterns and altitudes to avoid overflight of hazards, obstructions, or any residential areas shall be published for airpark residents and transient aircraft through proper FAA publications.

G. Air TRAFFIC PATTERN & NOISE ABATEMENT

1. Patterns published on Airpark website and FAA publications
2. Runway 17 preferred for takeoff/landing
3. Northbound departures must turn to avoid Fairfield residential area
4. Circling aircraft over Fairfield for more than 5 minutes constitutes a nuisance (see Section 5.1.10)
5. All aircraft operators shall check applicable published NOTAMS and chart supplements prior to landing at the airpark. Safety considerations must be taken for pavement strength, aircraft weight, runway length, and safe stopping distance and takeoff roll.

H. PROCESS OF DEVELOPING THE AIRPARK

1. Development REVIEW if needed
Zoning entitlements
2. Subdivision process
3. Master site plan
4. DEVELOPMENT AGREEMENT would be a requirement for any development within this zone. Development agreements would include CCR and HOA agreements.
5. Final plat recording

MASTER SITE PLAN REQUIREMENTS

All developments must submit a Master Site Plan. In addition to standard site plan elements, the following must be included:

1. Site analysis, topography, drainage, FAA airspace classifications
2. Airpark layout (runway, taxiways, aprons, fueling stations, maintenance areas, parking)
3. Residential layout: max 25% of land dedicated to the residential area outside of the limited development zone and the runway protection zone.
4. Open space: minimum 30%; not to include driveways/yards or runway publicly accessible where feasible
5. Road access: separate ingress/egress for residential; exterior roads of development must meet the standards of the Light Industrial West following the APWA standards.
6. Transportation circulation plan for aircraft, vehicles, and pedestrians
7. Landscaping per Section 10.19; may be modified to meet FAA safety standards
8. Structure height max: 35 ft or FAA height limit, whichever is lower
9. Lighting and fencing per Sections 9.3.60, 9.3.70, and 10.17.70
10. Utilities: must comply with water standards (Section 6.1), wastewater and stormwater design, and wildlife hazard avoidance
11. Sewer feasibility study is required

I. EASEMENT & PROPERTY CONTROL REQUIREMENTS

1. Fairfield Town shall not impose aviation or restrictive easements on private property.
2. West Desert Airpark is required to obtain all necessary aviation easements from adjacent landowners for approach surfaces, transitional zones, and RPZs or within the airpark overlay
3. All land located within the FAA-defined Runway Protection Zone (RPZ) must either:
 - a. Be owned by West Desert Airpark, or
 - b. Be encumbered by a restrictive easement approved by Fairfield Town
4. No runway extension or use modification shall occur without prior Town approval and verified easement acquisition.
5. All land use areas associated with West Desert Airpark shall be designated within the Airpark Zone. This includes all property encompassed by the Airpark Overlay, regardless of any previous zoning designation. No portion of the airpark may operate under a different zoning classification.
6. West desert airpark must notify the FAA and UDOT Aviation department of 2 landfills within 1 ½ miles. One that is 1.5 miles with the height allowances of 200' within the 10,000' radius and North point having an allowance of 100' feet high which is located 2659' directly south of the runway in the runway protection zone. Also in the notification they need to clarify a portion of North Point Landfill runs adjacent to the runway with a portion being permitted to go 75' high at a distance of 629 feet from the center of the runway.
6. Seagulls are a known bird to fly between these landfills. This problem was brought to our attention by West desert Airpark. The picture was taken from West Desert Airpark by the owner and needs to be noticed as a problem so aviators are aware before they choose to land there.



7. All information on the West desert Airpark website needs to be accurate.

J. GOVERNANCE & MAINTENANCE

1. HOA shall maintain all private taxiways, runways, and common areas
2. CCRs must include:
 - a. Noise and operation limitations
 - b. Hangar ownership and usage rules
 - c. Emergency evacuation plan
 - d. Maintenance standards
3. Development agreement

K. COMPLIANCE

1. Development shall comply with all applicable building, fire, health codes and fairfield Town code
2. FAA Form 7460-1 must be filed as required for structures penetrating imaginary surfaces
3. The Town may require third-party peer review of plans at developer expense
4. Any expansion beyond approved limits shall require reapplication and updated FAA/overlay compliance

DEFINITIONS

[airport Land use guide](#)

[Standards for Crew Rest Facilities.](#)

[A. It is expected that aeronautical facilities on an airport will be available and used for aeronautical purposes in the normal course of airport business, and that non-aeronautical uses will be the exception.](#)

[B. Sponsors should have a program to routinely monitor use of hangars and take measures to eliminate and prevent unapproved non-aeronautical use of hangars.](#)

[C. Sponsors should ensure that length of time on a waiting list of those in need of a hangar for aircraft storage is minimized.](#)

[D. Sponsors should also consider including a provision in a](#)