

Ordinance #2025-15. Water Regulations. An Ordinance Amending the Current 6.1. Water Regulations, in the Fairfield Town Code, Replacing, Revising, and Adding Regulations as Needed.
Dated September 17, 2025

Document Control Changes: Document Control Changes: Amendments made December 13, 2012; January 8, 2015; October 10, 2019; August 9, 2022; amendments made and document added to the Fairfield Town Code Title.6.1.; January 10, 2023, April 11, 2023; September 17, 2025.

WHEREAS; Fairfield Town is the owner of a culinary water distribution system for the purpose of furnishing culinary water to the residents of the town under a system of facilities; and

WHEREAS; The Town Council deems it necessary and advisable to adopt an Ordinance for the control of the System, which will supersede existing ordinance or portions thereof inconsistent with this ordinance which contains, without limitations, provisions for culinary water services and amends, and where necessary, repeals water ordinances and regulations heretofore adopted in conflict with; and

WHEREAS; The Town Council has reviewed the proposed amendments to the Town Code.

NOW, THEREFORE; Be it ordained by the Town Council of Fairfield Town, State of Utah, that:

Section 1. Text Enactment. The Town Council hereby enacts changes to Fairfield Town Code 6.1, as shown in Exhibit A.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective immediately upon passage or posting as required by law.

Approved by the Town Council of Fairfield Town, Utah, on this 17th day of September 2025

Mayor: 
Hollie McKinney

RL Panek yes  no _____ Abstain _____

Tyler Thomas yes  no _____ Abstain _____

Michael Weber yes  no _____ Abstain _____

Richard Cameron yes  no _____ Abstain _____

ATTEST: 
Stephanie Shelley, Town Recorder



Exhibit A.
Water Regulations.

Section 6.1.10. General Provisions.

A. Ownership & Purpose. Fairfield, a municipal corporation of the State of Utah ("Town"), owns and operates a culinary water distribution system ("System") for the purpose of furnishing culinary water to residents and businesses within the Town. This ordinance governs the operation, connection, expansion, and protection of the System, superseding any conflicting provisions in prior ordinances. This ordinance is adopted pursuant to Utah Code Title 10, Chapter 8 (Municipal Utilities), Utah Code Title 73 (Water and Irrigation),

B. Fairfield Irrigation Company.

1. A separate legal entity that operates independently from the Town of Fairfield. The Company retains fiduciary responsibility for forty (40) grandfathered shares existing at the time of the Town's purchase of the culinary water system, which remain subject to their original agreements. The Company maintains its own water rights, irrigation shares, and rules of operation. The Town of Fairfield does not regulate, control, or guarantee water service provided by the Company, and all questions, disputes, or service issues related to the irrigation system shall be addressed directly with the Company.

2. Court Decree Compliance. All Fairfield Irrigation Company culinary water shares that have been transferred to the Town shall be administered in accordance with the court decree of 1965. Owners of such shares acknowledge that water use, allocation, and priority are governed by the terms of said decree, and that the Town shall manage these shares subject to its provisions.

C. System Goals. The Culinary Water System shall be managed to:

1. Protect public health, safety, and welfare;
2. Provide adequate water for existing and future needs consistent with the General Plan;
3. Ensure capacity for fire suppression in accordance with the Utah State Fire Marshal's standards and NFPA 24/1142, as amended;
4. Maintain orderly and efficient system design;
5. Preserve water quality and prevent contamination; and
6. Protect the rural character, resources, and value of the Town.

D. Director of Water Department. A "Director of Water Department" is appointed to oversee the System, enforce this ordinance, and administer the cross-connection control program. The Director shall coordinate with the Town Engineer and Town Council on all capacity determinations, fire flow requirements, and water rights transfers.

Section 6.1.12. Definitions.

For purposes of this Chapter, the following terms shall have the meanings set forth below. Where definitions differ from or are not provided in this section, the definitions contained in Utah Code Title 73 (Water and Irrigation), Utah Administrative Code R309 (Drinking Water), or applicable federal standards shall apply.

Acre-Foot (AF). Means the volume of water required to cover one acre of land to a depth of one foot, equal to 325,851 gallons.

Applicant. Means any individual, developer, corporation, or entity applying for connection, subdivision approval, or any service under this ordinance.

Capacity Review. Means the evaluation performed by the Town Engineer to determine whether the culinary water system has sufficient source capacity, storage capacity, and distribution capacity to serve a proposed development, including fire flow requirements.

Cedar Valley Aquifer. Means the designated groundwater basin from which Fairfield Town's municipal and culinary water rights are sourced, located in Utah State Water Rights Area 54.

Change Application. Means an application filed with the Utah State Engineer to change the point of diversion, place of use, or nature of use of a water right.

Connection (or Service Connection). Means the physical tie-in of a property or structure to the Town's culinary water system, including the service line, meter, and appurtenances.

Cross-Connection. Means any physical connection or arrangement between the Town's culinary water system and another water source, including a private well, irrigation system, or secondary water system, through which backflow could occur into the Town system.

Culinary Water. Means potable water that meets all applicable Utah Department of Environmental Quality (DEQ) and Utah Division of Drinking Water (DDW) standards for human consumption, domestic use, and food preparation.

Developer. Means any person, partnership, corporation, or entity proposing to subdivide land, construct improvements, or connect to the Town's culinary water system.

Director of Water Department. Means the individual appointed by the Town Council to oversee Fairfield's culinary water system, enforce this ordinance, and coordinate with the Town Engineer.

Fairfield Irrigation Company. A separate legal entity that operates independently from the Fairfield Town.

Fairfield Irrigation company is a non profit company established for the equitable distribution of water issuing forth from a natural flowing spring thus providing irrigation, stock watering, and culinary for shareholders within said company

Fairfield Irrigation-Culinary Share. Means an irrigation culinary water share that is governed by the Fairfield Irrigation company. These shares are not available to purchase.

Final Plat. Means a subdivision map approved by the Town Council and recorded with Utah County, which identifies all lots, dedications, easements, and water rights conveyed.

Impact Fees. Means charges assessed in accordance with Fairfield's Impact Fee Facilities Plan and Impact Fee Analysis to ensure new development pays its proportionate share of system-level improvements.

Livestock Watering Permit. Means a temporary water permit issued by Fairfield Town for the limited purpose of watering livestock, subject to metering, duration limits, and prohibitions on irrigation of fields or land.

Main Line (Water Main). Means a water distribution pipeline owned and maintained by Fairfield Town, generally located within a public right-of-way or utility easement, from which service connections are made.

Master Development Agreement (MDA). Means a written agreement between a developer and the Town that governs water service obligations, infrastructure installation, water right conveyances, reimbursement terms, and other conditions of development approval.

Meter. Means a device owned and maintained by the Town to measure culinary water delivered to a service connection.

Meter Tampering. Means any unauthorized interference, bypass, removal, or modification of a Town-owned meter, meter box, or appurtenance.

Municipal or Culinary Water Right. Means a groundwater right authorized by the Utah State Engineer for municipal or culinary use and approved for diversion at Fairfield Town's designated points of diversion.

Performance Guarantee. Means a bond, escrow, letter of credit, or other acceptable security required by the Town to ensure completion of improvements or transfer of water rights.

Platted Lot. Means a parcel of land that has received final subdivision approval and has been recorded with Utah County.

Point of Diversion. Means the legally authorized location where water under a valid right may be diverted from its natural source.

Private Well. Means a groundwater well owned and operated by a private individual or entity, not incorporated into the Town's culinary water system.

Secondary Use. The use of water from a private well or non culinary source for purposes other than indoor household culinary use, such as outdoor irrigation, livestock watering, or agricultural purposes, provided such use complies with all applicable State water right and cross-connection regulations.

Service Line. Means the pipe and related infrastructure running from the Town's main to the customer's meter and from the meter to the building served.

Short Term Water Permit. Means a permit issued by the Town for temporary water use such as construction, dust control, or livestock watering. Such permits shall not exceed ninety (90) days, must be metered, and do not establish permanent service rights.

Subdivision. Means any division of land requiring Town approval under Fairfield's subdivision ordinance.

System (Culinary Water System). Means the complete culinary water distribution system owned and operated by Fairfield Town, including sources, wells, pumps, storage tanks, mains, service connections, and meters.

Town Engineer. Means the professional engineer designated by Fairfield Town to review, approve, and inspect all water-related plans, improvements, and water right transfers.

Unauthorized User. Means any person who obtains water service from the Town system without proper authorization, permit, or connection approval.

Water Banking. Means the conveyance of water rights to the Town for retention and future use on a specific parcel or project, subject to a Town Council-approved development agreement.

Water Main Extension. Means a newly constructed segment of water main designed to connect a development to the existing Town system, required to meet Town standards.

Water Right. Means a right to divert and beneficially use water under Utah law, recognized by the Utah State Engineer.

Well Capping. Means the permanent sealing of a groundwater well in compliance with Utah Administrative Code R655-9 (Water Well Drilling) when required by this ordinance or as a condition of connection to the Town system.

Section 6.1.15. Fundamental Policies.

A. No Irrigation Shares in the Culinary System. Irrigation water shares, secondary water shares, or any other non-culinary water rights shall not be accepted into the Town's culinary system. Surface water or agricultural shares shall not be accepted unless certified as municipal/culinary by the Utah State Engineer and approved by the Town's designated water

engineer.

B. Water Rights Source & Location. All water rights must be transferred to Fairfield Town's approved point of diversion from the Cedar Valley aquifer and determined to be culinary water before being moved.

C. Water Rights Review. All water rights offered to the Town must be reviewed by the Town's designated water engineer for suitability, quantity, and transferability before acceptance.

D. Developer Cost Responsibility. Developers shall connect and bear one hundred percent (100%) of the cost of extending and connecting water lines, tanks, pump stations, and related equipment necessary to serve their development from the nearest approved connection point. Impact fees are in addition to, not in lieu of, these direct costs.

E. Impact Fees.

1. All developments shall pay the applicable impact fees listed in the Fairfield Town Fee Schedule for each culinary water connection.

2. Each lot shall require a separate connection and corresponding impact fee.

3. Impact fees have been established pursuant to an impact fee study and shall remain in effect unless amended by the Town in accordance with State law.

F.. Cross-Connection Prohibition.

Under no circumstances shall a private well or any other secondary water source be cross-connected with the Town's culinary water system, including any connection to a residence, accessory dwelling unit (ADU), or accessory structure.

Section 6.1.20. Well Capping and Cross-Connection Requirements.

A. Voluntary Connection. When a property owner voluntarily connects to the Town's culinary water system and transfers the water right associated with an existing well to the Town, the well shall be permanently capped and abandoned in compliance with State of Utah standards.

B. Subdivision or Annexation. In the case of new subdivisions, annexations, or system expansions where properties are required to connect to the Town's culinary water system as a condition of approval, existing wells on those properties shall be required to be capped in accordance with State standards.

C. Existing Independent Wells. Nothing in this Section shall be construed to require

existing property owners who remain independent of the Town's culinary water system to cap or abandon their lawful private wells.

D. Cross-Connection Prohibition. Where a property is served by the Town's culinary water system, no private well shall be physically connected to the household plumbing or to any portion of the Town's culinary water system. Any retained wells may only be used for approved secondary purposes (such as outdoor irrigation or livestock watering), and such uses must comply with all applicable State of Utah cross-connection and backflow prevention regulations.

Section 6.1.25. Water Share Requirements.

A. Required Volumes by Land Use. All applicants must convey adequate water rights to the Town prior to final plat approval (for subdivisions) or prior to issuance of a building permit (for single-lot development), except as allowed under Section 6.1.35. Timing of Water Right Transfer.

A. Minimum Required Water Rights. Table 6.1.25.

Use Type	Minimum Water Right Volume	Notes
Residential ≤ 1 acre lot	1.0 Acre foot water right	Indoor & outdoor use
Residential > 1 acre – ≤ 5 acres	1.25 acre foot water right	Rounded up to nearest tenth
Residential > 5 acres	1.25 acre foot water right	Engineer review required
Commercial/retail	0.9 AF per lot of developed land	Includes landscaping
Light Industrial	0.9 AF per lot of developed land	May allow water banking if low demand
Non standard uses	Determined by town Council & engineer based on demand	Examples: car wash, processing plant

The Town Council may, by resolution, update these volumes as needed to remain consistent with regional studies, Utah Division of Water Resources guidance, or Cedar Valley aquifer conditions.

B. Platted Water Disclosure. All final plats shall note the volume of water rights conveyed for each lot.

C. Right to Require More Water. If anticipated demand exceeds volumes above, the Town may require additional water rights at any stage. A written capacity review by the Town Engineer shall be required for all subdivisions and non-residential developments.

D. Low or Non Water Use Businesses. In cases where a business or facility requires little to no culinary water (such as utility hubs, communications facilities, or similar operations), the Town

Council may, at its sole discretion, reduce or waive the standard water connection, water rights, and/or impact fee requirements. Such determinations shall be made on a case-by-case basis, proportionate to the actual anticipated water demand, and documented in the development approval.

E. Reduction of Water right Requirement. The Town Council may, at its sole discretion, reduce the amount of required water rights if the applicant provides adequate proof, supported by engineering or professional analysis, that the full requirement is not necessary to serve the intended use. Any such reduction shall be documented in the approval of the development or connection.

F. Nothing in this ordinance obligates the Town to approve a connection if system capacity is insufficient.

Section 6.1.30. Outdoor Irrigation and Animal Unit Regulations.

A. Outdoor Irrigation.

1. Culinary water connections may be used for outdoor landscaping irrigation on an area not to exceed one-tenth (0.10) acre per acre foot of water right.

2. Irrigation of agricultural fields, pastureland, or similar large-scale areas is prohibited on the Town's culinary water system.

B. Animal Units by Lot Size.

1. Lots one (1) acre or less: Up to three (3) animal units may be maintained.

2. Lots two (2) to five (5) acres: Up to six (6) animal units may be maintained, provided that each lot has a minimum of 1.1 acre-feet of water rights dedicated for such use (in accordance with Section 6.1.25).

3. Lots greater than five (5) acres: Animal allowances shall be governed by the provisions of the Agricultural Zone regulations.

C. Animal Unit Equivalents. For purposes of this Section, the following equivalencies shall apply:

1. One (1) cow or horse = one (1) animal unit;

2. Five (5) sheep or goats = one (1) animal unit;

3. Twenty-five (25) chickens, ducks, or similar fowl = one (1) animal unit; and

4. Other species shall be evaluated by the Town on a case-by-case basis, based on equivalent water consumption and space requirements.

Section 6.1.35. Timing of Water Right Transfer.

A. Single Lot Residential. Requirements.

1. Initiation and Review. The applicant shall initiate the transfer of required water rights;
2. Submit water rights for review by the Town's designated water engineer, who shall verify their suitability for use in Fairfield's culinary water system;
3. Building Permit Condition. No building permit shall be issued until the Town Engineer has approved the proposed transfer of water rights;
4. Deeding and State Approval. Following Town Engineer approval, the applicant shall deed the approved water rights to Fairfield Town and obtain approval from the Utah State Engineer to change the point of diversion to Fairfield Town's designated point of diversion;
5. Single-Family Dwelling Requirement. For the construction of a single family dwelling, the approved water right must be fully transferred into Fairfield Town's culinary water system, or into an approved Town-owned well, before a certificate of occupancy will be issued; and
6. Source Limitation Exception. Water rights transferred to Fairfield Town shall be municipal or culinary well rights from Utah State Water Rights Area 54 (Cedar Valley). In rare cases, the Town may accept water rights from another water rights area if the Utah State Engineer determines, in writing, that the rights are suitable for transfer to Fairfield Town's culinary water system and the Town's designated water engineer approves their use.

B. Subdivision / Multi-Lot Residential Water Right Transfer Requirements.

1. All residential subdivisions shall transfer to Fairfield Town, prior to final plat approval, a minimum of one (1) acre-foot of approved municipal or culinary water rights from Utah State Water Rights Area 54 for each one (1) acre lot, or the amount otherwise required for the lot size under Section 6.1.25, Water Share Requirements; and
2. Water rights may be transferred in phases corresponding to the recorded plat phases; however, no subdivision phase shall receive final plat approval until all required water rights for that phase have been transferred to the Town.

C. Performance Guarantee Requirement. For phased subdivisions, the Town Council may require a bond, escrow, or other financial guarantee to ensure delivery of all required water rights for subsequent phases.

1. Initiation and Review. For each subdivision or phase of subdivision, the developer shall initiate the transfer of the required water rights for all lots in that phase and submit them to the Town's designated water engineer for review. The Town Engineer shall verify that the water rights are suitable for use in Fairfield's culinary water system;

2. State Approval and deeding. After Town Engineer approval, developer shall obtain approval from the Utah State Engineer to change the point of diversion to Fairfield Town's designated point of diversion;

3. The developer shall deed the approved water rights to Fairfield Town;

4. Final Plat Condition. No final plat approval for any phase or for an entire subdivision shall be recorded until all required water rights for that phase or development have been approved by the state engineer and the change of diversion into fairfield town has been completed; and

5. Source Limitation Exception. Water rights transferred to Fairfield Town shall be municipal or culinary water rights from Utah State Water Rights Area 54 (Cedar Valley). In rare cases, the Town may accept water rights from another water rights area if the Utah State Engineer determines, in writing, that the rights have been approved for transfer to Fairfield Town's culinary water system and the Town's designated water engineer approves their use.

D. Commercial and Industrial Water Rights. Requirements.

1. Initial Proof at Site Plan Approval. At the time of site plan approval, the developer shall provide proof of ownership of municipal or culinary well rights from Utah State Water Rights Area 54 (Cedar Valley) in no less than the minimum amount required for the proposed zoning:

a. Commercial / Retail. 1.8 acre-feet per lot of developed land;

b. Light Industrial. 0.9 acre-feet per lot of developed land; and

c. Non-standard Uses. Determined by the Town's designated water engineer's based anticipated demand.

2. Final Determination at time of Building Permit or Business License Application. Prior to issuance of a building permit (or a business license if no building permit is required), the applicant shall submit final water use estimates to the Town's designated water engineer. If the final requirement exceeds the minimum provided at site plan approval, the applicant shall transfer the additional water rights to the Town before the permit or license is issued;

3. Building permit issuance. All required water rights must be fully transferred to Fairfield Town and approved by the Utah State Engineer, with the point of diversion changed to Fairfield Town's designated point of diversion, before a building permit can be issued;

4. Water Banking Option. If a developer wishes to bank water rights for future use on the same parcel, the terms and conditions for banking shall be set forth in a written development agreement approved by the Town Council. Banked rights must be held by Fairfield Town not by the developer, privately, to ensure the Town retains control; and

5. No Reliance on Town Owned Water Rights. Fairfield Town does not maintain excess

water rights for allocation to new commercial or industrial developments. Developers are solely responsible for acquiring and transferring adequate rights for their projects.

E. Single Commercial or Light Industrial User. Requirements.

1. Initiation and Review. The applicant shall initiate the transfer of required water rights and submit them for review by the Town's designated water engineer, who shall verify their suitability for use in Fairfield's culinary water system;

2. Building Permit Condition. No building permit shall be issued until the Town Engineer has approved the proposed transfer of water rights;

3. Deeding and State Approval. The state will approve the point of diversion before the water can be moved or deeded to the town. The water point of diversion shall be changed to the Fairfield's town point of diversion; and

4. The approved water right must be fully transferred into Fairfield Town's culinary water system, or into an approved Town owned well, before a certificate of occupancy will be issued.

Section 6.1.40. Water Main Line Extensions.

A. Connection Point and Alignment. All water main line extensions shall originate from the nearest adequate, existing main line and extend across the full frontage of the development along all public street frontages, in accordance with the Town's Master Water Plan.

B. Plans and Approvals. No person shall construct a water main line extension without first submitting detailed plans to the Town Engineer for review and receiving written approval. The applicant shall be bound by all applicable Town ordinances, resolutions, regulations, and construction specifications. All installations shall comply with current American Water Works Association (AWWA) standards.

C. Construction Standards. All work shall be performed by a licensed, bonded, and insured contractor, inspected in accordance with Town standards.

D. Boring Requirements. Boring of pipelines under paved roadways is required unless the Town Council determines otherwise due to extenuating circumstances. The cost of boring shall be the developer's responsibility.

E. Developer Costs. The developer shall bear all costs associated with the extension, including but not limited to: Installation of the new water main, Road restoration, Utility relocation, Easements, Replacement of any infrastructure, landscaping, or other improvements damaged or removed during construction.

F. Voluntary Extensions and System Level Improvements. A developer may voluntarily extend a water main line beyond the distance required for their project. If the extension is identified as a system-level improvement in the Town's Master Water Plan, the Town shall provide an impact fee credit equal to the cost of that improvement. If the cost exceeds the developer's impact fee

liability, the Town and developer may negotiate a reimbursement agreement for the excess cost, subject to Town Council approval.

G. Fire Protection and Water Right Requirement. All structures requiring fire protection or culinary service shall be supported by adequate municipal or culinary water rights. Where extension of a waterline is necessary to provide fire hydrants or service to such structures, the developer or property owner shall transfer to Fairfield Town an adequate water right from Utah State Water Rights Area 54. The quantity of water right transferred shall be sufficient to meet both the fire flow and domestic water capacity needs of the development, as determined by the Town Engineer in consultation with the Fire Authority.

H. No building permit, subdivision approval, occupancy, or system connection shall be granted until the necessary water rights have been transferred and all required waterline extensions have been completed in compliance with Town standards.

Section 6.1.45. Master Development Agreements (MDA).

A. An MDA is required for any development requiring a water system extension.

B. The MDA must:

1. Define project scope, capacity, and infrastructure specifications;
2. Establish reimbursement terms (if any) approved in writing before construction;
3. Limit reimbursement eligibility to Town-approved system-level improvements; and
4. Set duration of reimbursement period (maximum 10 years).

Section 6.1.50. Private Systems & Wells.

A. Private Wells for Culinary Use. Private wells are prohibited for culinary use unless:

1. The lot is more than three hundred (600) feet from the existing municipal water system;
2. The Town Council determines that the private well aligns with the Town's land use goals and that connection to the municipal system is cost-prohibitive; and
3. The well meets all State standards and remains on the same parcel as the served building.

B. Connection to the municipal system may be required by the Town Council if system expansion renders service to new construction reasonably available.

C. Town Option to Extend Service. In cases where a lot is more than three hundred (300) feet from the existing system, the Town may, at its sole discretion, choose to cover the additional cost of extending the municipal waterline and require the property owner to connect to the system instead of drilling a private well.

D. Agricultural Wells. Agricultural wells are permitted if:

1. The lot is ten (10) acres or larger;
2. The water rights are agricultural in nature; and
3. All required State and County approvals are obtained.

Section 6.1.55. Water and Water Line Regulations and Restrictions.

A. Water Use Restrictions. The Mayor, with Town Council approval, may issue a proclamation restricting the use of water during times of emergency. Such proclamation shall be signed by the Mayor and remain in effect until rescinded.

B. Water Source Protection Plan

1. Fairfield's culinary water source protection zones are subject to change based on updated studies and regulatory requirements. Residents and property owners located within these areas shall refer to the most current Source Protection Zone Plan adopted by the Town for applicable restrictions and requirements.
2. Where State or Federal statutes impose stricter requirements, those laws shall govern.

***Refer to the Fairfield Town Drinking Water Source Protection Plan and Fairfield Spring Source Protection Plan.

C. Maintenance Responsibilities.

1. Before Town Acceptance. The applicant is responsible for maintenance of new water mains and related facilities until the Town formally accepts them by dedication;
2. After Town Acceptance. The Town shall maintain water mains and service connections located on public property, except for service lines between the meter and the served building, which shall be maintained by the property owner; and
3. Meters. The Town shall maintain all water meters, including those on private property, and may enter private property for inspection, repair, or replacement.

D. Service Line Connections.

1. No service line connection shall be made to the Town water system without authorization from the Water Director;
2. The applicant must obtain a permit, pay applicable fees, and bear the full cost of installation from the building or service location to the Town main, including trenching, piping, meter set, and meter box;

3. All work shall be performed by a qualified and licensed plumber or a prequalified utility contractor, inspected and approved by the Water Director; and

4. No tapping or connection to water mains is permitted when ambient temperatures are below forty (40) degrees Fahrenheit unless emergency exception approved by the Town Engineer.

E. Separate Service Lines.

1. Residential lots shall have no more than one water service line per lot unless the Planning Commission approves a second line to serve an ADU;

2. Commercial or multi-tenant buildings shall have one connection with separate service lines and meters for each unit or business; and

3. The Town may require separation of existing shared service lines or allow continued shared service if one party accepts responsibility for all charges.

F. Abandoned Service Lines.

When abandoning a service line in favor of a different service, the old line shall be disconnected and the tap plugged at the main. All costs are the owner's responsibility. All work must be inspected before backfilling. Application must be filled out from Fairfield Town.

G. Town Required Relocation or Replacement.

If the Town relocates or replaces part of the water system, and this requires moving a customer's connection, the Town will bear the cost of all work to replace and reconnect the waterline.

H. Unauthorized Users.

No customer shall allow unauthorized persons to obtain water service from their premises.

I. Water Meters.

1. All new service connections shall have a water meter in an accessible location approved by the Water Director or Town Engineer. Meter sizes set by the Town Engineer;

2. Meters shall be provided and installed by the Town, but only after the main line is tested, disinfected, and approved, and all fees are paid;

3. Tampering with or modifying meters or meter boxes is prohibited; and

4. Customers are responsible for damages to Town water infrastructure on or near their

premises caused by their acts or negligence, including legal costs incurred by the Town in recovering repair expenses.

J. Use of Unmetered Water. Use of unmetered water from any service line, main line, or fire hydrant is prohibited unless authorized by the Town Council. The use of a "jumper" in place of a meter is strictly prohibited.

K. Installation Before Occupancy permit.

All required water lines must be installed and completed prior to issuance of Occupancy permit

L. Metered Water Use Requirement.

All water use must be metered unless otherwise authorized by the Town Council.

1. Culinary Water Connection. Usage is confined to properties within Town boundaries and primarily for residential or commercial buildings, with one connection per building. If a building or structures cross over Fairfield boundaries, it may be approved through a Development Agreement; and

2. Water Permits. Issued for short term or one (1) time uses such as construction, dust control, or livestock watering. Livestock watering may be permitted within and outside Town boundaries, shall be metered, but shall not include irrigation of fields or land.

Short term permits for construction, dust control, or livestock watering shall be limited to a maximum of ninety (90) days and shall not establish permanent service rights.

Section 6.1.60. Sprinklers and Irrigation Systems.

Use of sprinklers or irrigation devices connected to the Town's culinary water system shall not impair water pressure, fire flow, or overall system supply. The Town Council may, by resolution, establish restrictions on irrigation use when necessary to protect the system. Violations shall be subject to enforcement under Section 6.1.90.

Section 6.1.70. Application for Service.

A. Applicants for culinary water service shall submit a completed application on the Town-approved form and shall pay all applicable fees as established in the Town Fee Schedule.

B. Each applicant shall sign an agreement to comply with all Town ordinances, regulations, and policies, and to pay all charges for service when due.

C. Deposit Requirements.

1. A security deposit may be required for new accounts in the amount established in the Town Fee Schedule;

2. The security deposit may be applied to any delinquent bill or unpaid charges on the account;

3. Security deposits shall be credited or refunded when service is terminated, provided all outstanding charges have been paid in full; and

4. Security deposits shall also be refunded after one (1) year of consecutive on-time payments.

D. Non-Transferability.

1. Service accounts are tied to the property served and shall not be transferred to another location;

2. A new application shall be required for any change in property ownership or occupancy; and

3. All rates, fees, and deposits shall apply to all new applications, regardless of prior service history.

E. Rates and Fees.

1. All rates, impact fees, and service-related charges shall be established by resolution of the Town Council in compliance with Utah Code and published in the Fairfield Town Fee Schedule;

2. Rates may vary by classification of service or customer type;

3. Additional charges, including but not limited to late fees, returned check fees, and service disconnect/reconnect fees, shall also be established in the Fee Schedule; and

4. All such rates and fees are enforceable as a condition of water service.

Section 6.1.80. Billing, Nonpayment, Disconnection, and Reconnection.

A. Billing and Payment.

1. Water meters shall be read on the last day of each month;

2. Water bills shall be issued by the fifth (5th) day of each month and shall be due on the last day of the same month;

3. Payments received after the due date shall incur a late fee as established in the Fairfield Town Fee Schedule' and

4. Accounts not paid within forty-five (45) days past the due date shall be considered delinquent and subject to disconnection.

B. Notice of Disconnect.

1. Written notice shall be mailed by the Town to the account holder no fewer than five (5) business days before the effective date of shut-off; and

2. A final twenty-four (24) hour notice of disconnect shall be delivered to the property before shut-off.

C. Disconnection and Reconnection.

1. Water service may be discontinued for nonpayment or for violation of this Chapter; and

2. Service shall not be restored until:

a. All delinquent charges, late fees, and service fees are paid in full; and

b. A new deposit is posted, if required.

D. Town Liability.

The Town shall not be liable for any damages, losses, or claims resulting from the disconnection, interruption, or restoration of water service carried out in accordance with this Section.

E. Returned Payments. Any check or electronic payment returned unpaid by a bank shall incur a returned payment fee as established in the Town Fee Schedule.

F. Unauthorized Restoration of Service. When water service has been disconnected for nonpayment, violation of ordinance, or other lawful cause, it is unlawful for any person to restore or attempt to restore service without authorization from the Town. Violation shall be subject to enforcement under Section 6.1.90. It is unlawful for any person to restore service without Town authorization. Violations may result in criminal penalties under the Utah Code.

G. Use Without Payment Prohibited. It is unlawful for any person to obtain water from the Town system without authorization or without paying for such service. It is also unlawful to tamper with or open any valve, stopcock, connection, or fixture connected to the system without Town authorization. Violations shall constitute a Class C misdemeanor.

H. Discontinuance of Service.

1. Customer Initiated Termination. Any customer requesting discontinuance of service shall notify the Town in writing at least ten (10) days before the date service is to be terminated. Any credit balance resulting from advance payments or deposits shall be refunded upon discontinuance of service; and

2. Town-Initiated Termination. The Town may terminate service without notice in emergencies or when public health and safety require.

Section 6.1.90. Enforcement and Penalties.

A. Tampering and Unauthorized Use.

1. It is unlawful for any person to tamper with meters, valves, hydrants, or any part of the Town's culinary water system;
2. Unauthorized connections to, or use of, the Town's water system are strictly prohibited; and
3. Violations of this subsection shall be subject to enforcement under Section 6.1.90; may also constitute a Class C misdemeanor under Utah law.

B. Judicial Review. Any legal action challenging a decision of the Town Council, or any other governmental body performing a function under this Chapter, shall be filed in a court of competent jurisdiction within thirty (30) days of the action being challenged.

C. Legal Action. The Town may pursue any legal or equitable remedies available under Utah law to enforce

compliance with this Chapter, including injunctions, fines, penalties, Violations are subject to service termination and recovery of costs and attorney fees incurred in enforcement.

Section 6.1.100. Severability.

Severability of Section, Phrase, Sentence or Portion. 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 6.1.110. Conflict with Other Land Use Ordinances of the Town.

Governing Ordinance. If any provision of this ordinance is in conflict with a provision of another ordinance of the Town, then the most stringent requirement shall govern.

FAIRFIELD TOWN

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the Town Council of Fairfield Town, Utah, on the 17th day of September, 2025.

Ordinance #2025-15. Water Regulations. An Ordinance Amending the Current 6.1. Water Regulations, in the Fairfield Town Code, Replacing, Revising, and Adding Regulations as Needed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield Town, Utah, this 17th day of September, 2025


Stephanie Shelley
Fairfield Town Recorder/Clerk

(SEAL)



AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Fairfield Town Council on the 17th day of September, 2025, and herein referred to as:

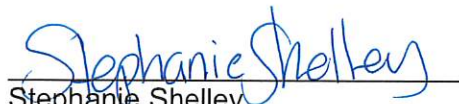
Ordinance #2025-15. Water Regulations. An Ordinance Amending the Current 6.1. Water Regulations, in the Fairfield Town Code, Replacing, Revising, and Adding Regulations as Needed.

SUMMARY.

Amending, Replacing, Revising, and Adding Regulations to the Water Regulations in 6.1.

The three places are as follows:

1. Fairfield Town Hall
2. Fairfield Town Website
3. Utah State Public Notice Website


Stephanie Shelley
Fairfield Town Recorder/Clerk

Date of Posting 18th day of September 2025