

**KAYSVILLE CITY  
ORDINANCE 25-11-02**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 6, TITLE 8,  
TITLE 9, AND 18**

**WHEREAS**, City staff have completed a review of City Ordinances; and

**WHEREAS**, Staff are recommending various changes and updates to better safeguard current and future infrastructure.

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

**SECTION 1:** **AMENDMENT** “6-2b-4 Unlawful Parking” of the Kaysville City Code is hereby *amended* as follows:

**A M E N D M E N T**

**6-2b-4 Unlawful Parking**

1. At Curb Roadside.
  - a. No motor vehicle, except authorized emergency vehicles, shall be parked with the left side of the vehicle next to the curb, except on One Way streets. It shall be a civil violation to stand or park any motor vehicle in a street other than parallel with the curb and with the two (2) right wheels of the vehicle, except authorized emergency vehicles, within twelve inches (12") of the regularly established curb line except on those streets which have been marked for angle parking; then vehicles shall be parked at the angle to the curb indicated by such marks.
  - b. It shall be a civil violation to park any vehicle on or store items in the roadway when:
    - i. Within eight (8) feet of a mailbox, driveway or access; AND
    - ii. When inside of or within two hundred (200) feet of a Mixed Use, Professional Business, General Commercial, Central Commercial or Light Industrial Zone.
2. Vehicles for Sale. It shall be a civil violation to park any vehicle on any public street for the primary purpose of displaying it for sale, or to park any vehicle on a public street from which merchandise is peddled. It shall be *prima facie* evidence of parking a vehicle principally for the purpose of offering it for sale if:
  - a. The vehicle is left unattended for four (4) hours or more,
  - b. There are signs in, on or near the vehicle offering it for sale, and
  - c. The vehicle is not parked on a street adjacent to property where the owner resides. Nothing in this subsection shall preclude or prevent the owner of a vehicle from legally parking a vehicle for sale in front of the property where the owner resides.
3. Loading Zones. When so posted, it shall be a civil violation for the driver of a passenger vehicle, except authorized emergency vehicles, to stand or park such vehicle for a period of time longer than is permitted by the posted sign for the loading or unloading of passengers, or for the driver to stand or park any freight carrying motor vehicle, except authorized emergency vehicles, for a period of time longer than is necessary to load, unload and deliver materials in any place designated as a Loading Zone and marked as such.

4. **Posted Restrictions.** It shall be a civil violation for any person to park any motor vehicle, except authorized emergency vehicles, on any street in violation of the posted restrictions. It shall be a civil violation to park any vehicle, except authorized emergency vehicles, or otherwise cause any obstruction to any fire station or other place where fire apparatus is stored, or within fifteen feet (15') of any fire hydrant or cistern.
5. **Alleys.** No person shall park a motor vehicle, except authorized emergency vehicles, within an alley in such manner or under such conditions as to leave less than ten feet (10') of the width of the roadway available for the free movement of vehicular traffic. No person shall stop, stand, or park a vehicle, except authorized emergency vehicles, within an alley in such a position as to block the driveway entrance to any abutting property.
6. **Cab Stands - Bus Stands.** No motor vehicle other than a licensed taxicab or authorized emergency vehicle shall be parked in any area designated by ordinance as a taxicab stand and no vehicle other than a bus or authorized emergency vehicle shall be parked in a place so designated as a Bus Loading Zone.
7. **Over 48 Hours.** It shall be a civil violation for any person to park or leave standing on any public road, street, alley, park-and-ride lot, or municipal property any vehicle or inoperative vehicle, except authorized emergency vehicles and City owned vehicles, for forty-eight (48) or more consecutive hours, and any vehicle so parked or left standing may be impounded or removed by the Chief of Police or the Chief's designee. For purposes of impoundment and removal, the Chief of Police or the Chief's designee may, after making a reasonable effort to locate the owner, impound and remove any motor vehicle which has been unmoved for forty-eight (48) consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded motor vehicle.
8. **During Winter.** No person shall park a vehicle, except authorized emergency vehicles, on any street between 12:00 midnight and 6:00 a.m. of any day from the first day of November of each year to the last day of February of the following year.
9. **Heavy Duty Vehicles.**
  - a. The driver of a motor vehicle, except authorized emergency vehicles, having a total gross weight, loaded or unloaded, in excess of fifty thousand (50,000) lbs. or having a total length in excess of twenty-four (24) feet from the most forward point of the vehicle or its load to the most rear point of said vehicle or its load, shall not park said vehicle or allow it to stand upon the City streets for longer than two (2) hours.
  - b. In determining the total gross weight or total length as provided in subparagraph (a) above, the length or weight of the trailer connected or attached to or in tandem with the motor vehicle, shall also be included in making such determination.
10. **Approach to Parking Space.**
  - a. No person shall move a vehicle, except authorized emergency vehicles, in any manner or leave a parking space and then re-enter it to avoid the intent of this Chapter.
  - b. Every driver about to enter a parking space being vacated shall stop and wait to the rear of the vehicle in the actual process of vacating the parking space and having so waited shall have prior right to the parking space over all other drivers.
  - c. No driver shall stop a vehicle, except authorized emergency vehicles, ahead of a parking space being vacated and attempt to interfere with a driver who has waited properly to the rear of a parking space being vacated.
11. **Not to Obstruct Traffic.** No person shall park any vehicle, except authorized emergency vehicles, upon a street in such a manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for free movement of vehicular traffic.

12. Electronic Vehicle Stalls.
  - a. As used in this Section:
    - i. Electric Motor Vehicle means a motor vehicle that is powered solely by an electric motor drawing current from a rechargeable energy storage system.
    - ii. Plug-In Hybrid Electric Motor Vehicle means a hybrid electric motor vehicle that has the capability to charge the battery or batteries used for vehicle propulsion from an off-vehicle electric source, such that the off-vehicle source cannot be connected to the vehicle while the vehicle is in motion.
    - iii. Electric Vehicle Charging Station means a public parking space that is:
      - (1) Served by charging equipment that has its primary purpose the transfer of electric energy to a battery or other energy storage device in an electric motor vehicle or plug-in electric motor vehicle; and
      - (2) Clearly marked with either:
        - (A) Conspicuous green pavement markings; or
        - (B) Clearly marked signage indicating that the stalls are electric vehicle charging station stalls.
  - b. It is a civil infraction for any person to stop, stand, or park any vehicle in a City-owned electric vehicle charging station unless the vehicle is an electric motor vehicle or plug-in hybrid electric motor vehicle connected to the charging station and actively being charged.
  - c. It is a defense to a civil charge under this subsection that the offending vehicle owner produces in person at the Kaysville City Hall proof that the offending vehicle was an electric motor vehicle or plug-in hybrid electric motor vehicle.

**SECTION 2: AMENDMENT “8-3-3 Effect of Designation as Arterial, Collector, or Significant Local Streets” of the Kaysville City Code is hereby *amended* as follows:**

#### A M E N D M E N T

**8-3-3 Effect of Designation as Arterial, Collector, or Significant Local Streets.**

1. The streets designated shall be developed and maintained as arterial, collector, or significant local streets, and shall be used as through streets for movement of concentrated flows of traffic. Access to these streets may be restricted.
2. The streets designated shall have minimum rights-of-way as listed in KCC 8-3-2.
3. Any street intersection constructed after the passage of this ordinance intersecting an arterial, collector, or significant local street shall be designed and constructed to meet the current AASHTO requirements for sight distance.
4. Intersections that pre-exist the effective date of this ordinance that do not meet current AASHTO sight distance standards may be evaluated and improved as part of scheduled maintenance, capital improvements, or as determined necessary by the City Engineer to protect public safety.

**SECTION 3: AMENDMENT “9-2-9 Excavations” of the Kaysville City Code is hereby *amended* as follows:**

**A M E N D M E N T**

**9-2-9 Excavations.**

1. Any work impacting City owned rights-of-way, infrastructure, or other properties shall require prior written approval (permit) Work includes, but is not limited to, excavations, potholes, bores, paving, constructing or modifying pipelines or conduits, or otherwise altering pavements, curbs, gutters, surfaces or underground utilities. In accordance with all requirements, including (but not limited to) the provisions stated in the permit and Division 5b of the Kaysville Technical Specifications, the applicant shall also:
  - a. Proceed in accordance with City standards and specifications;
  - b. Indemnify and hold the City harmless from any and all claims or damages arising out of or occasioned by their work;
  - c. Restore, at their own expense, any impacts in accordance with the permit said City standards and specifications, unless otherwise directed by the City;
  - d. Not unreasonably interfere with the access and use of the City streets or sidewalks by the traveling public, or the rights of those having existing easements adjacent to or therein. Access must be properly maintained, including (but not limited to) being free of depressions, bumps, obstacles, debris, or any other impediment to safe access or travel. For accesses not properly maintained, a fee shall be assessed;
  - e. Provide a cash or escrow bond, based on the extents or dimensions of the work or its impact, as determined by the City;
  - f. Pay the necessary fees, based on the extents or dimensions of the work or its impact, as determined by the City. Failure to comply with the requirements of the permit shall result in additional fees, as stated in the provisions therein, and may be deducted from the bond, as determined by the City;
  - g. All other requirements deemed necessary by the City.
2. Upon receipt of said application and plan, the City shall make any necessary inquiries or inspections of the site and then approve or disapprove the same.
3. Following the approval of the permit and during performance of work and any restoration, the City shall inspect, as often as necessary, the site detailed within the permit application. Where it is determined that the site is not in compliance with these provisions or those stated within the permit, non-compliant work may require removal and replacement, forfeiture of bond, voluntary additional warranty periods or other remedies as deemed necessary in the sole discretion of the City.
4. A moratorium of four (4) three (3) years shall be applied to all new public streets, public streets that have been reconstructed or that have been overlaid, prohibiting cutting into, altering or excavating within that public street. If cutting into, altering or excavating within a public street right-of-way is unavoidable, as determined by the Public Works Superintendent, the Special Restoration Standard shall apply to all work done that occurs during this moratorium, or for the specified period of time after the moratorium ends. This Standard exists to protect the integrity and prolong the service life of public streets. Applicable public streets must be restored to the following Special Restoration Standard:
  - a. New public streets, reconstructed public streets, or overlaid public streets: During the moratorium, and for a period of an additional three (3) years after its conclusion, once an

excavation has been backfilled but prior to paving, the asphalt shall then be cut full depth and removed for three feet (3') in each direction from the edge of the original cut. Special care shall be taken to minimize impacting the base and subgrade during this removal. Substantial disturbance, as determined by the Public Works Inspector, may require additional compaction or earthwork. After paving, all edges or cold joints must be crack sealed.

- b. Public streets with preventative maintenance treatments: For a period of three (3) years after the placement of a treatment, an area not less than one foot (1') in all directions, from the edge of the repaved surface shall have the same type of treatment reapplied, or another treatment as approved by the City. Prior to reapplication of the treatment, all edges must first be crack sealed. In cases where the amount of reapplied treatment required is less than two hundred (200) square feet, the applicant may request to provide funds to the City in lieu of treatment, with the amount to be approved by the City Engineer and based on the average of at least two (2) bids for such a treatment, plus fifteen percent (15%). These funds would be used at a later date, at the City's discretion and availability, to reapply a treatment. If funds are provided to the City, all edges must still be crack sealed by the applicant.
- c. Requirements under the Permit: The Special Restoration Standard requirements, as detailed above, are a minimum, and are in addition to any other requirements set forth in the Excavation Permit or the Technical Specifications and Drawings.

5. The City may reject or delay the approval of a permit based on various factors, including (but not limited to) precipitation, temperatures, impact to the public or other utilities because of the timing, or other specific factors applicable. Double bond rates shall apply for any cuts or excavations made in public streets between October 15th and April 15th.

**SECTION 4: AMENDMENT “9-4-15 Cross Connection Control and Backflow Prevention” of the Kaysville City Code is hereby *amended* as follows:**

#### A M E N D M E N T

##### **9-4-15 Cross Connection Control and Backflow Prevention.**

The purpose of this Chapter is to protect the public water supply of Kaysville City from the possibility of contamination or pollution by eliminating or controlling existing cross connections (actual or potential) in accordance with International Plumbing Code (IPC) and State amendments to the International Plumbing Code as well as the Utah Administrative Code.

1. External Regulations. Public Drinking Water Rule (UPDWR) Section R309-105-12 states that public drinking water systems shall not allow a connection to their system which may jeopardize its quality and integrity. Cross connections are not allowed unless controlled by an approved and properly operating backflow prevention assembly or device. The requirements of the International Plumbing Code and its amendments as adopted by the Department of Commerce shall be met with respect to cross connection control and backflow prevention.

Federal Public Law 104-182, (the Safe Drinking Water Act and Amendments of 1996) identifies the responsibility of each public drinking water system to protect the quality of the water supplied to the consumers from any sources of contamination. As stated in the US EPA Cross Connection Control Manual, the water purveyor must provide water that complies with all EPA standards at the source and deliver it to the customer without the quality being compromised as a result of its delivery through the distribution system.

2. Kaysville City Regulations. To comply with the aforementioned State and Federal requirements, and to help safeguard public health, the following regulations shall also be in effect:
  - a. No culinary water service connection to any premises shall be installed or maintained by Kaysville City unless the water supply is protected as required by State laws, regulations, codes, and this Chapter.
  - b. ~~Where pressure irrigation is available, In accordance with Title 18-3-7 and 9-6-1 of City Code,~~ no connection of an irrigation system to a culinary water service shall be allowed. Dual, or "swing", connections that allow for switching use back and forth between City culinary water and any other water source are prohibited.
  - c. The use of City culinary water for irrigation or certain industrial/commercial applications shall require prior authorization from the Public Works Superintendent or an agent of the Public Works Superintendent and the installation of an approved backflow assembly. Additional requirements are detailed in Subsection (e) of this Chapter.
  - d. All commercial/industrial connections to the public water system shall be protected by an approved backflow assembly on the service line before the first branch line leading off the service line. It shall be the responsibility of the consumer to purchase, install, test and maintain any backflow prevention device/assembly required to comply with this Chapter.
  - e. Upon assessment or inspection, if the Public Works Superintendent or an agent or the Public Works Superintendent deems a new or existing service connection's water usage is a hazard to the water supply, the connection or usage shall be protected by an approved backflow device/assembly to eliminate or satisfactorily reduce said hazard. It shall be the responsibility of the consumer to purchase, install, test and maintain any backflow prevention device/assembly required to comply with this Chapter.
  - f. All backflow devices/assemblies shall be installed within thirty (30) days of the original assessment/inspection date. Failing to do so could result in water service being discontinued until requirements have been met.
  - g. "Approved Backflow Prevention Assembly" shall mean an assembly that has met completely the laboratory and field performance standard of the foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California. (USC FCCCHR).
  - h. The customer's system(s) shall be open for water quality assessment/inspection at all reasonable times to authorized representatives of the Public Works Superintendent. Failure to do so could result in discontinued water service.
  - i. Hazard Assessment Official. This official can be anyone whom Kaysville City has authorized and delegated to perform compliance and/or hazard assessment inspections or surveys and who should also hold a Class I or Class III Utah Backflow Technician Certificate.
    - i. This individual shall conduct hazard assessments to determine the "degree of hazard" to the public drinking water system from an individual service connection (new or existing). In the case of an existing connection, a hazard assessment investigation or survey must be conducted to determine the "degree of hazard" within the existing site, as well as educating the customer to the dangers of cross connections and their personal liability should a backflow event occur.
    - ii. A hazard assessment is a detailed inspection of the customer facilities within the service connection. This inspection would involve inspecting all water uses and

piping within the connection. If the customer refuses access to their facilities, the service connection must be classified as a high hazard connection and appropriate protection must be required at the service connection.

- j. The adopted Plumbing Code and associated amendments, state: "backflow preventers shall be tested at the time of installation, immediately after repairs or relocation and at least annually". Testing shall be performed by a Utah Certified Backflow Preventer Assembly Tester.
  - i. Any commercially available Class II or III Certified Backflow Technician is authorized to test any backflow prevention assembly at the invitation of the owner, and to report the results of that test to the owner and the City. However any repairs on backflow prevention assemblies which did not pass a test conducted by a Certified Backflow Technician, must be performed by a tester having appropriate licensure from the Department of Commerce, Division of Professional Licensing who also holds a current Class II or III Backflow Technician Certificate or by an "agent of the owner" of the assembly.
  - ii. Test results must be reported to the City within thirty (30) days of testing. A failing backflow prevention assembly must be reported within five (5) days of failing test.

**SECTION 5: AMENDMENT "9-6-1 Connection Required" of the Kaysville City Code is hereby *amended* as follows:**

#### A M E N D M E N T

##### **9-6-1 Connection Required.**

The record owners, or their duly authorized agents, of all residential sites that are west of US-89 where pressure irrigation is available shall connect their properties to a pressure irrigation system (non-culinary) and pay the applicable fees and charges. Residential sites located east of the US-89 corridor will not be required to shall also connect their properties to pressure irrigation systems, unless the developer can demonstrate to the City that a connection to a pressure irrigation system is not feasible, and the City Engineer concurs.

**SECTION 6: AMENDMENT "18-3-7 Pressure Irrigation Water" of the Kaysville City Code is hereby *amended* as follows:**

#### A M E N D M E N T

##### **18-3-7 Pressure Irrigation Water.**

1. Unless located east of U.S. 89, residential building sites shall be served by pressure irrigation. In order to avoid unnecessary overburden to the City's Culinary Water system, the City may, at its discretion, require connection to pressure irrigation east of U.S. 89 if it is determined by the City Engineer to be feasible. In order to avoid unnecessary overburden to the City's Culinary Water system, residential building sites shall be served by pressure irrigation. This includes properties located east of US-89, unless said properties can demonstrate to the City that pressure irrigation at their site is not feasible and the City Engineer agrees.

2. The owner shall extend the pressure irrigation system and provide a connection for the building site concurrent with construction of the residence.
3. The owner shall comply with all the requirements of the pressure irrigation provider and furnish proof thereof to the City.

**SECTION 7: REPEALER CLAUSE** If any provisions of the City's Code previously adopted are inconsistent herewith, they are hereby repealed.

**SECTION 8: SEVERABILITY CLAUSE** If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

**SECTION 9: EFFECTIVE DATE** This ordinance being necessary for the peace, health and safety of the City, shall become effective immediately upon posting.

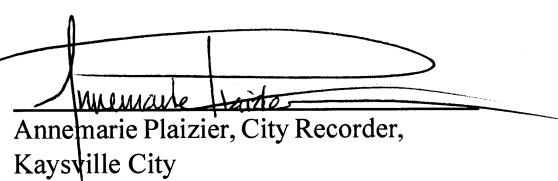
PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL ON NOVEMBER 20, 2025.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Council Member Adams	<u>X</u>	_____	_____	_____
Council Member Blackham	<u>X</u>	_____	_____	_____
Council Member Hunt	<u>X</u>	_____	_____	_____
Council Member Jackson	<u>X</u>	_____	_____	_____
Council Member Oaks	<u>X</u>	_____	_____	_____

Presiding Officer

  
Tamara Tran, Mayor, Kaysville City

Attest

  
Annemarie Plaizier, City Recorder,  
Kaysville City

