

ORDINANCE 2026-09

AN ORDINANCE AMENDING TITLE 9, CHAPTER 1: WATER USE AND SERVICE TO CLARIFY ALLOWABLE USES IN A DROUGHT AND PENALTIES FOR UNAPPROVED USES

WHEREAS: North Ogden City operates a culinary water system with limited capacity; and

WHEREAS: the City has seen an increase in outdoor culinary water use; and

WHEREAS: the City must protect the culinary water infrastructure and resources; and

WHEREAS: to encourage limited use of culinary water on outdoor landscaping, while still allowing for more mature landscaping with lower water requirements to be maintained in a healthy way.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of North Ogden City:

SECTION 1: Title 9, Chapter 1 of the North Ogden City Code shall be amended to read:

9-1: WATER USE AND SERVICE

9-1-1: SERVICE CONNECTIONS

- A. Authority: The city will make service connections upon application and payment of the fees therefore.
- B. Individual Meter Required: Each dwelling unit, building suite, and building (if there are no suites in the building) shall have its own individual water meter.
- C. Meter Size: A residential water meter shall be one inch, unless otherwise authorized by the water superintendent.

9-1-2: APPLICATION FOR SERVICE

- A. Required: No water, sewer, garbage and solid waste disposal, or stormwater control services (city services) shall be furnished to any house, tenement, apartment, multifamily unit, duplex, fourplex, building, place, premises or lot (premises), unless an application for city services shall be made in writing, signed by the owner or the owner's duly authorized agent. An applicant may

apply for less than the entire city services provided by the city, provided that the applicant must apply for all city services if the failure to receive the city services from the city will result in the creation, maintenance, or perpetuation of a nuisance. In the application, the owner shall agree to pay for all city services furnished to such premises according to the ordinances, regulations, and rules enacted or adopted by the city. A new owner must provide proof of purchase in the form of settlement papers or closing papers from a lender or a deed from the previous owner and picture identification. In the event an authorized agent applies for city services on behalf of an owner, the agent shall also provide written proof of the agency.

- B. Owner Application For All Properties: Applications for city services to all properties shall be made only by the owner or the owner's authorized agent. Applications from tenants shall not be accepted. The application shall be in writing and shall be signed by the owner or the owner's duly authorized agent. In the application, the owner or their authorized agent shall agree that the owner shall pay for all city services furnished to the premises according to the ordinances, regulations, and rules enacted or adopted by the city.
- C. Reinstatement Of Discontinued Service: Any utility service which has been discontinued shall only be reinstated upon payment of all associated fees and service charges.
- D. Additional Copies Of Bills: Property owners may elect to have additional copies of bills sent to multiple addresses, provided the fee as set forth in the consolidated fee schedule is paid monthly for each additional address requested.
- E. Penalty: Any violation of this section shall be deemed a Class B misdemeanor and shall be subject to penalty as provided in CCNO 1-4-1.

9-1-3: FEES, RATES, AND CHARGES

- A. City Limits: In conformity with the laws and constitution of the state and the ordinances of the city, a schedule of water connection fees and water rates for the users of water from the city waterworks system shall from time to time be established by resolution. Such schedule shall be applicable only to users and premises using such water within the corporate limits of the city.
- B. Outside City Limits: Water service to premises outside the corporate limits of the city shall be furnished only after the approval of such individual application by the city council and shall be for such rates as the city council may, from time to time, establish by resolution of the city council. In no event will the city council approve any such application for water service if the granting of the application will in any way prejudice users on property within the corporate limits of the city.

9-1-4: METER READING DATE ADJUSTMENT

When, at the discretion of the Water Systems Superintendent and/or the Public Works Director, it is determined advisable that water readings be made on some date other than the 28th of each month, the Water Systems Superintendent and/or the Public Works Director shall determine the date or dates on which meter readings shall be made, and then the schedules provided for in CCNO 9-1-3 shall apply but shall be computed from the day of the month so determined by the Water Systems Superintendent and/or the Public Works Director.

9-1-5: BILLINGS; DELINQUENCY

All bills for metered water service shall be due and payable monthly at the office of the city treasurer. If such bills are not paid by the end of the month in which they are issued, then such bills shall become delinquent, provided that residents shall always have at least fifteen (15) days to pay the bills before they become delinquent. By the fifteenth of the month following a bill becoming delinquent, a shutoff notice shall be sent to the customer, and the account shall be charged a processing fee. If such bill is not paid within ten (10) days from the date of the shutoff notice, water service may be discontinued and shall not be restored until either:

- A. All fees and charges have been paid, including the processing fee and any collection or reconnection fees; or
- B. The customer has entered into a written water restoration agreement with the city. The amount of the processing, collection and reconnection fees shall be established by resolution.

9-1-6: CONSOLIDATED BILLINGS; PARTIAL PAYMENTS

- A. Consolidated Billings: The city shall issue consolidated bills for all water, sewer, garbage, and solid waste disposal, and stormwater control services. These consolidated bills shall be issued monthly by the city and shall state the amounts due for each individual charge and a total of all charges for city services due for that month. Customers who receive some of these services from the city and either do not receive the other services or receive the other services from other providers shall be billed monthly for those services they receive from the city and their bills shall show no charges due for those services which they do not receive or which they receive from other sources.
- B. Partial Payments:
 - 1. In the event any customer shall make a partial payment on a consolidated monthly bill sent by the city, the partial payment shall be applied to the outstanding charges in the following order:

- a. Processing, collection and reconnection fees;
 - b. Overdue charges for garbage and solid waste disposal services;
 - c. Current charges for garbage and solid waste disposal services;
 - d. Overdue charges for stormwater control services;
 - e. Current charges for stormwater control services;
 - f. Overdue charges for sewer services;
 - g. Current charges for sewer services;
 - h. Overdue charges for water services; and
 - i. Current charges for water services.
2. Partial payments shall be applied in the order specified in subsection B1 of this section, regardless of any request or communication from the customer submitting the partial payment that the partial payment be applied in a different order.

9-1-7: METER INSTALLATIONS

- A. Fee Established: The meter installation fee for installing water meters shall be prescribed from time to time by resolution.
- B. Requirements: Minimum meter size on all new construction shall be one inch. The contractor shall make all excavations, including the tap, running the service line, providing the CTS polyethylene tubing, meter setter, meter box, and all appropriate fittings pursuant to the public works standards of the city, except in platted subdivisions wherein the subdivider will be responsible for all costs, materials and labor for all water mains, laterals to the property line, the cost of the service tap and related fittings. All meter boxes for one-inch meters shall be DFW Plastic boxes (models: 1324WBC-18-1BA and 1324WBC-16-EXT, see Public Works Standards for more specifications). In all other installations larger than one inch, the contractor or applicant will furnish and install all appropriate fittings, including DFW Plastic boxes (models: DFWA4WBC-24-1 and DFWA4WBC-12-EXT, see Public Works Standards for more specifications). All materials used must have the city's approval prior to installation. Meter boxes will be set one foot behind the curb. In areas where curb does not exist, boxes will be set one foot inside the property line. The city will provide and install all water meters.
- C. Location: All meters shall be located in a convenient place in front of the property to be serviced and/or within five feet (5') of the side property line; and in no event

shall more than one residential structure nor more than one commercial establishment be serviced by the same meter. Meter pits cannot be poured in concrete driveway approach.

9-1-8: INSPECTION OF PREMISES

The water superintendent, or their designee, shall have the right at all reasonable hours to enter and inspect any premises using water from the city waterworks system to determine whether all applicable rules, regulations, and ordinances of the city are being followed in the use of such water.

9-1-9: PROHIBITED ACTS AND ACTIVITIES

- A. Unlawful Plumbing Connections: It is unlawful for any person to connect any plumbing installation or fixture, directly or indirectly, to the water supply of the city unless all plumbing work in connection therewith is installed according to the ordinances of the city.
- B. Tampering With Valves: It is unlawful for any person to tamper with any valve of the water system, including fire hydrants, without proper authority and it is unlawful for any person to turn on any water service without proper authority, nor to reconnect any service which has been shut off or disconnected for nonpayment of fees or otherwise.
- C. Damaging Equipment: It is unlawful for any unauthorized person to in any way molest or tamper with any meter of the waterworks system, or to in any way remove, damage, or injure any bulkhead, gate, gatehouse, conduit, culvert, hydrant, or main constructed or maintained for the purpose of supplying water to the inhabitants of the city.
- D. Pollution Of Water System: It is unlawful for any person, firm, or corporation to in any way contaminate, pollute, or render impure any water or water supply of the city.

9-1-10: PENALTY

Any person, firm, or corporation violating any of the provisions of this chapter shall be guilty of a Class B misdemeanor and subject to penalty as provided in CCNO 1-4-1.

9-1-11: WATER CONSERVATION PLAN ADOPTED

The water conservation plan for North Ogden City, Utah, is adopted and on file in the city.

9-1-12: CULINARY WATER USE RESTRICTIONS

- A. No person, firm or corporation may use culinary water on outdoor landscaping, unless the Governor of the State of Utah has issued a Drought Declaration.
1. If authorized, culinary water shall not be utilized for the irrigation of lawns, turf, or similar plants, but shall only be used on bushes, shrubs, trees, vegetable gardens, and watering animals.
 2. If authorized, culinary water shall only be used between April 15, and October 15 of each year.
 3. Outdoor culinary use for recreation, home maintenance, and other similar uses may be prohibited by the City Council if the Governor issues a Drought Declaration and an appropriate declaration is issued by the Council.
- B. Any person violating this ordinance will be subject to a civil citation of \$500 after receiving one written warning, which applies to the entire irrigation season.

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay
Council Member Carney:	<u> X </u>	<u> </u>
Council Member Dalpiaz:	<u> X </u>	<u> </u>
Council Member Nabor:	<u> X </u>	<u> </u>
Council Member Pulver:	<u> X </u>	<u> </u>
Council Member Watson:	<u> X </u>	<u> </u>

(In event of a tie vote of the Council):

Mayor Barker	<u> </u>	<u> </u>
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Ryan Barker
Mayor



ATTEST:



Rian Santoro
City Recorder