

Laketown, Utah

ORDINANCE 2026-03

AN ORDINANCE REPEALING ORDINANCE 2025-10 ADOPTED JANUARY 7, 2026, REGARDING THE RESTRICTION OF NEW CULINARY WELLS WITHIN FIVE HUNDRED FEET OF AN EXISTING TOWN WATER LINE WHERE THE TOWN'S WATER SYSTEM IS ABLE TO PROVIDE SERVICE TO THE PROPERTY

WHEREAS, the Town Council previously adopted Ordinance 2025-10 on January 7, 2026, which prohibited the drilling of new culinary wells within five hundred feet of an existing Town water line when the Town's Water System is able and willing to provide service to the property; and;

WHEREAS, the Town maintains that the original intent of the ordinance remains legally defensible and aligned with the Town's planning goals, and

WHEREAS, the Town has also determined since the adoption of Ordinance 2025-10 that there are other alternative legal mechanisms and regulatory frameworks that more effectively achieve the desired planning goal and objectives of the Town; and

WHEREAS, the Planning Commission duly noticed and held a public hearing on March 25, 2026, to discuss the repealing of Ordinance 2025-10 and at the conclusion of the public hearing made a positive recommendation to the Town Council to repeal Ordinance 2025-10 and pursue other alternative legal strategies to achieve the Town's desired planning goal and objectives; and

WHEREAS, upon making the necessary reviews in a duly noticed public meeting, the Town Council finds it to be in the best interest of the public health, safety, and welfare of the Town to repeal Ordinance 2025-10 while it considers those alternative strategies which better achieve the Town's desired planning goals and objectives.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Laketown, Utah:

SECTION 1: Repeal. Ordinance 2025-10, adopted on January 7, 2026, and any corresponding sections of the Town's Municipal Code enacted therein, are hereby repealed in their entirety.

SECTION 2: Reversion. The language in Title 8, Water Regulations, Chapter 8.1, Water Use And Service, Section 8.1.2 Applications For Connection, Service, is hereby reverted to its previous version:

8.1.2 Applications For Connection, Service

- A. **Connection And Service:** Any owner or owner's designated agent seeking service and or connection(s) to the Town's Water System shall complete the applicable form and pay fees as established by the Town Council and set forth in the Laketown Consolidated Fee Schedule.
- B. **Connection By Subdividers:** Whenever an owner or owner's designated agent desires or is required to install water connections and extensions for a subdivision or development, the owner or owner's designated agent shall provide the Town with water shares and/or water rights that are free, clear and uncontested in the amount proportional to the size of the development as determined by the Town's Engineer. Both the cost of the evaluation of the amount of water rights to transfer must be borne by the owner or owner's designated agent and the Town's Attorney shall

bill the owner or owner's designated agent for an evaluation of the free, clear and uncontested water rights being proposed.

HISTORY:

Ord., 2-11-1993

Ordinance 2019-14 3-4-2020

Ord. No. 2025-10, 1/7/2026

SECTION 3: Severability. If any section, subsection, sentence, clause, or phrase of this amendment 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 amendment.

SECTION 4: Effective Date. This Ordinance shall become effective immediately upon its passage and posting/publication as required by Utah Code § 10-3-711.

PASSED AND ADOPTED by Laketown Town Council, this 6th day of May, 2026.

Brandon Willis
BRANDON WILLIS, Mayor
Laketown Town

Attest:

Lisa Johnson
Lisa Johnson, Clerk
Laketown Town

Town Council Vote As Recorded:	AYE	NAY	ABSTAIN	ABSENT
Burdette Weston	<u>BW</u>	_____	_____	_____
Kirsten Gash	<u>KG</u>	_____	_____	_____
Denise Johnson	<u>DJ</u>	_____	_____	_____
Kris Hodges	<u>KH</u>	_____	_____	_____

RECORDED this 05-07-2026.

PUBLISHED OR POSTED this 05-07-2026.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with §10-3-713 of Utah State Code, as amended, I, the Clerk of Laketown Town, hereby certify that the foregoing Amendment was duly passed and published or posted at:

- 1) Laketown Town Office
- 2) Laketown United States Post Office
- 3) Dee's Super Service
- 4) Laketown Town Website

on the above referenced dates.

Lisa Johnson
LISA JOHNSON, Clerk
Laketown Town

