

**SPRING CITY
ORDINANCE 2026-11**

**AN ORDINANCE AMENDING TITLE 8 CHAPTER 3: SEWER CONNECTION
DEFERRALS**

WHEREAS, Spring City requires properties meeting the requirements of the Spring City Municipal Code to connect to the City’s public sewer system when public sewer service becomes available; and

WHEREAS, the City Council recognizes that certain existing properties may have unusual physical or infrastructure conditions that make connection to the public sewer system impracticable, including circumstances where the elevation or location of a structure would require a private sewage pumping system or where installation of a sewer connection would substantially interfere with an existing permanent structure or system; and

WHEREAS, the City Council desires to establish a limited process by which a sewer connection deferral may be considered based upon the physical conditions affecting a property, while preserving the City’s general requirement that properties connect to the public sewer system; and

WHEREAS, the City Council finds that establishing clear and consistent standards for considering such sewer connection deferrals is in the best interest of Spring City and its residents;

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

SECTION 1: **AMENDMENT** “8-3-2 USE REQUIRED” of the Spring City Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

8-3-2 USE REQUIRED

- A. Installation of Suitable Sanitary Facilities: Any residence, building, commercial establishment, or other structure constructed on property where any portion of the property line lies within three hundred (300) feet of an existing public sewer line, and which required sanitary services, shall be connected to the public sewer system prior to the issuance of a certificate of occupancy.
- B. Sewer Connection to Existing Structures: The owner of any residence, building, commercial establishment, or other structure requiring sanitary services, which received a building permit or has previously been issued a certificate of occupancy and which is used for human occupancy, employment, recreation, or other purposes on the

date of adoption of this ordinance, and which property is situated within the City and abuts any street, alley, or right-of-way where no public sanitary or combined sewer of the City is presently located, shall be required, at the owner's expense, to install suitable sewer facilities and connect such facilities directly to the public sewer in accordance with the provisions of this chapter within twenty-four (24) months after the date of official notice to do so, provided that a public sewer line is installed within three hundred (300) feet of any portion of the owner's property boundary.

- C. Notwithstanding SCMC 8-3-2(B), if during the twenty-four (24) month compliance period, a property owner's septic system fails, the owner shall immediately connect the property to the City's public sewer system and properly abandon or disconnect the septic system in accordance with this chapter.
- D. Waiver of Impact Fee. No property owner who has an established and approved septic system approved by the Utah Department of Water Quality, for any building permits issued in accordance with SCMC 8-3-2(A), *infra*, shall be required to pay an impact fee to connect to the Spring City's sewer system.
- E. Unlawful Acts: It shall be unlawful:
 - 1. For any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the city, or in any area under the jurisdiction of the city, any human or animal excrement, garbage or other objectionable waste.
 - 2. To discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.
 - 3. Except as hereinafter provided, to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater. (Ord. 1990-9-1, 9-10-1990)

AFTER AMENDMENT

8-3-2 USE REQUIRED

- A. Installation of Suitable Sanitary Facilities: Any residence, building, commercial establishment, or other structure constructed on property where any portion of the property line lies within three hundred (300) feet of an existing public sewer line, and which requires sanitary services, shall be connected to the public sewer system prior to the issuance of a certificate of occupancy.
- B. Sewer Connection to Existing Structures: The owner of any residence, building, commercial establishment, or other structure requiring sanitary services, which received a building permit or has previously been issued a certificate of occupancy and which is used for human occupancy, employment, recreation, or other purposes on the date of adoption of this ordinance, and which property is situated within the City and abuts any street, alley, or right-of-way where no public sanitary or combined sewer of the City is presently located, shall be required, at the owner's expense, to install suitable sewer facilities and connect such facilities directly to the public sewer in accordance

with the provisions of this chapter within twenty-four (24) months after the date of official notice to do so, provided that a public sewer line is installed within three hundred (300) feet of any portion of the owner's property boundary ~~-, except as provided in subsection D below.~~

- C. Notwithstanding SCMC 8-3-2(B), if during the twenty-four (24) month compliance period, a property owner's septic system fails, the owner shall immediately connect the property to the City's public sewer system and properly abandon or disconnect the septic system in accordance with this chapter ~~-, unless the property has been granted a sewer connection deferral pursuant to subsection D. A property subject to a dererral shall continue to comply with all applicable state, county, and local requirements governing private wastewater disposal systems.~~

D. Sewer Connection Deferral

1. The City Council may grant a deferral from the sewer connection requirement in subsection B for an existing structure when the Council determines that one or more of the following conditions exist:
 - a. Gravity Service. The elevation or location of the existing structure in relation to the City's public sewer system makes gravity sewer service impracticable and connection would require the installation and continued operation of a private sewage pumping system.
 - b. Extraordinary Physical Conflict. Installation of a sewer connection would require substantial interference with or disruption of an existing permanent structure, utility, geothermal system, or similar permanent improvement, and there is no reasonable alternative route for connection that would avoid the conflict.
2. A deferral under this subsection shall be based upon conditions affecting the property and shall not be based solely upon the identity, financial circumstances, or personal circumstances of the property owner. The property owner shall provide information reasonably requested by the City to verify the condition supporting the requested deferral.
3. A deferral shall remain in effect so long as the condition upon which the deferral was granted continues to exist. A transfer of ownership shall not, by itself, terminate the deferral.
4. A property receiving a deferral shall maintain a lawful private wastewater disposal system in accordance with applicable state, county, and local requirements and at no expense to the City.
5. The City Council may impose reasonable conditions upon a deferral and may reconsider or terminate a deferral if the conditions affecting the property materially change, including the construction or availability of public sewer facilities that allow the property to reasonably connect without the condition upon which the deferral was originally granted.
6. Nothing in this subsection creates a right to a deferral. Each request shall be considered according to the physical circumstances of the property and the standards stated in this subsection.

- E. Waiver of Impact Fee. No property owner who has an established and approved septic system approved by the Utah Department of Water Quality, for any building permits issued in accordance with SCMC 8-3-2(A), *infra*, shall be required to pay an impact fee to connect to the Spring City's sewer system.
- F. Unlawful Acts: It shall be unlawful:
1. For any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the city, or in any area under the jurisdiction of the city, any human or animal excrement, garbage or other objectionable waste.
 2. To discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.
 3. Except as hereinafter provided, to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater. (Ord. 1990-9-1, 9-10-1990)

SECTION 2: AMENDMENT “8-3-3 PRIVATE WASTEWATER DISPOSAL” of the Spring City Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

8-3-3 PRIVATE WASTEWATER DISPOSAL

- A. Compliance With Provisions: Where a public sanitary or combined sewer is not available under the provisions of SCMC 8-3-2 Part A, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section. (Ord. 1990-9-1, 9-10-1990)
- B. Permit Required; Fee: Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit issued by the state board of health. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary. A permit and inspection fee shall be paid to the city at the time the application is filed. (Ord. 1990-9-1, 9-10-1990; amd. 2002 Code)
- C. Use Of System; Authorized When: Permission to use the system for a private wastewater disposal system shall not become authorized until the installation is completed in compliance with the approved plans applicable with all state and local codes and this chapter. Authorized city employees shall be allowed to inspect the work at any stage of construction. The applicant for the permit shall notify the city recorder when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty eight (48) hours of the receipt of notice by the city recorder.
- D. System Requirements: The type, capacities, location and layout of a private

wastewater disposal system shall comply with all recommendations of the department of public health of the state. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than ten thousand (10,000) square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

- E. When Connection Required: At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in SCMC 8-3-2 Part A, a direct connection shall be made to the public sewer within twenty (24) months, in compliance with this chapter. In all cases, the private disposal system shall be disconnected and made inoperable upon connection to the public sewer system. All other parts required to SCMC 8-3-3 shall remain in effect unless expressly modified herein.
- F. Maintenance By Owner: When a public sewer is not available, the owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the city.
- G. Additional Requirements: No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Utah state department of health. (Ord. 1990-9-1, 9-10-1990)

AFTER AMENDMENT

8-3-3 PRIVATE WASTEWATER DISPOSAL

- A. Compliance With Provisions: Where a public sanitary or combined sewer is not available under the provisions of SCMC 8-3-2 Part A, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section. (Ord. 1990-9-1, 9-10-1990)
- B. Permit Required; Fee: Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit issued by the state board of health. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary. A permit and inspection fee shall be paid to the city at the time the application is filed. (Ord. 1990-9-1, 9-10-1990; amd. 2002 Code)
- C. Use Of System; Authorized When: Permission to use the system for a private wastewater disposal system shall not become authorized until the installation is completed in compliance with the approved plans applicable with all state and local codes and this chapter. Authorized city employees shall be allowed to inspect the work at any stage of construction. The applicant for the permit shall notify the city recorder when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty eight (48) hours of the receipt of notice by the city recorder.
- D. System Requirements: The type, capacities, location and layout of a private wastewater disposal system shall comply with all recommendations of the department of public health of the state. No permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the

lot is less than ten thousand (10,000) square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

- E. When Connection Required: At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in SCMC 8-3-2 Part A, a direct connection shall be made to the public sewer within twenty (24) months, in compliance with this chapter, except where a sewer connection deferral has been granted pursuant to SCMC 8-3-2(D). In all cases, the private disposal system shall be disconnected and made inoperable upon connection to the public sewer system.

All other parts required of SCMC 8-3-3 shall remain in effect unless expressly modified herein.

- F. Maintenance By Owner: When a public sewer is not available, the owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the city.

- G. Additional Requirements: No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Utah state department of health. (Ord. 1990-9-1, 9-10-1990)

PASSED AND ADOPTED BY THE SPRING CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Michael Broadbent	_____	_____	_____	_____
Councilmember James Baker	_____	_____	_____	_____
Councilmember Chris Anderson	_____	_____	_____	_____
Councilmember Laurel Workman	_____	_____	_____	_____
Councilmember Stan Soper	_____	_____	_____	_____

Presiding Officer

Attest

Paul Penrod, Mayor, Spring City

Ruth Ann McCain, City Recorder,
Spring City