

ORDINANCE O-2026-8

HUNTINGTON CITY

AN ORDINANCE OF HUNTINGTON CITY COUNCIL AMENDING CHAPTER 7-5-2 OF THE HUNTINGTON CITY CODE, OUTSIDE-BOUNDARY CULINARY WATER CONNECTIONS; AMENDING CHAPTER 9-14 OF THE HUNTINGTON CITY CODE, ANNEXATIONS; REQUIRING THE CONVEYANCE OF WATER SHARES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of Huntington City (“the City”) has adopted a municipal code governing the operation of the City as provided in Huntington City Code Chapters 1-1-1 and 1-1-2 and as authorized in Utah Code §§ 10-3-701 and 10-3-702; and

WHEREAS, Huntington City provides culinary water service to its residents and must ensure adequate water resources are available to serve existing and future customers that also address severe drought-related shortages, Huntington City Code Chapter 7-5-5 A.; and

WHEREAS, Huntington City provides water services in accordance with a resolution approving the interlocal governmental agreement between the City and Castle Valley Special Service District; and

WHEREAS, Huntington City currently permits the exchange of water rights or sources of water supply for other water rights or sources of water supply of equal value to the public supply of its inhabitants consistent with Utah Const Art. XI, Sec. 6; and

WHEREAS, the City may impose an exaction for a culinary water interest as provided in Utah Code §§ 10-20-911 and 10-20-912 in exchange for annexations as provided in Huntington City Code Chapter 9-14-4 C.; and

WHEREAS, the City Council finds it necessary to amend this chapter to require the conveyance of water shares to permit and implement outside-boundary water connections and annexations in order to protect and preserve the City's culinary water resources; and

WHEREAS, the City Council determines it is in the City’s best interest to protect, conserve, and preserve the City’s culinary water resource; and

WHEREAS, the City Council intends to require the water user or property owner to convey certain water shares of stock to the City as a condition of approval for any new outside-boundary water connections to the applicant water user or property owner; and

WHEREAS, the City Council intends to require water user or property owner to convey water shares of stock to the City as a condition of water service activation; and

WHEREAS, the City Council intends to require any annexation petitioner to convey water shares of stock to the City as a condition of annexation approval; and

WHEREAS, the City Council of Huntington City, Utah, considered and approved the proposed amendments on August 19, 2026;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huntington City, Utah:

SECTION 1. PURPOSE

The purpose of this ordinance is to ensure that a water user or property owner conveys adequate water shares to Huntington City as a condition of approval for certain outside-boundary culinary water connections and annexations. A water user or property owner applying for culinary water service outside the City boundaries shall convey the required water shares as required by the Huntington City Code and any applicable resolution of the City Council, thereby protecting the City's culinary water resources and ensuring the continued availability of water for existing and future customers.

SECTION 2. AMENDMENT OF CHAPTER 7-5-2

Chapter 7-5-2, "Outside-Boundary Water & Sewer Connection," is hereby amended by enacting and amending subsections as follows:

7-5-2 OUTSIDE-BOUNDARY WATER & SEWER CONNECTION

1. The City may allow, grant, issue, or provide new culinary water or sewer connections, or water service activations, for use on or for the benefit of properties located outside the current City boundaries, defined herein as an "outside-boundary water connection," subject to the final approval of the Castle Valley Special Service District and the policies, application process, conditions, and costs/fees established by the District and/or the City.
2. As a condition of approval for an outside-boundary culinary water connection, activation of culinary water service, or approval of an annexation petition, each application shall be accompanied by documents conveying the required water shares to the City as required by Chapters 9-14-4(C)(2)(a) and 9-14-6(A)(4) of this Code.
3. For any outside-boundary culinary water connection to be installed, the amount of water shares to be conveyed shall be as prescribed by City Code or any superseding ordinance or resolution.
4. Only when the required water shares have been conveyed to and accepted by the City may the applicant obtain an outside-boundary culinary water connection, activation of culinary water service, or annexation petition approval.

5. This chapter may not prohibit the City from running and connecting to any necessary transmission lines in regard to and from source and treatment facilities for the transport and flow of water or sewage.
6. This chapter may not prohibit the City from making any other outside-boundary water connections as determined by the City to be necessary for the immediate safety and health of City residents or to address exigent or emergency situations.
7. It shall be unlawful for any person or entity to install an outside-boundary water connection in violation of this chapter. A violator shall be guilty of a Class B misdemeanor and shall be responsible for any and all costs and expenses associated with the violation, including, but not limited to, excavation, restoration, and restitution. In addition to the criminal penalty herein, the City may terminate culinary water and/or sewer system service to any property where the owner, occupant, or any agent thereof violates this chapter, fails to pay applicable fees, fails to convey required water shares, or fails to pay fines imposed for violating this chapter.

SECTION 3. AMENDMENT OF CHAPTER 9-14

Chapter 9-14-2(A)(3) is hereby amended to read as follows:

"Do the water shares to be conveyed to the City produce a sufficient quantity to supply the territory to be annexed?"

Chapter 9-14-4 is hereby amended by replacing the term "water rights" with "water shares" wherever it appears therein.

Chapter 9-14-6(A)(4) is hereby amended to read as follows:

"Each petition must be accompanied by proposed documents conveying required water shares to the City for each new culinary or secondary water connection to be installed in the area to be annexed, as prescribed by current City ordinances or any superseding ordinance."

SECTION 4. SEVERABILITY

If any provision of this ordinance is held invalid, such invalidity shall not affect other provisions.

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect upon passage, approval, and posting as required by law.

ENACTED and approved by the Huntington City Council at a regular meeting held on the 19th day of August, 2026, at 6:30 p.m.

HUNTINGTON CITY
ORDINANCE O-2026-8
SIGNATURE PAGE
(Adopted August 19, 2026)

(SEAL)

Mayor, Leonard Norton

ATTEST:

Brandy Wagner, City Recorder

COUNCIL MEMBERS

Judd Beagley AYE _____ NAY _____

Tom Kay AYE _____ NAY _____

Lesa Miller AYE _____ NAY _____

Devin Wilson AYE _____ NAY _____

Gloria Wilson AYE _____ NAY _____

Date published on the Utah Public Notice Website per Utah Code § 10-3-711:

Effective date of ordinance: _____

**SUMMARY OF
HUNTINGTON CITY COUNCIL
ORDINANCE NO. O-2026-8**

On August 19, 2026, the Huntington City Council enacted Ordinance No. O-2026-8, which amends Huntington City Code to provide for the requirement to convey water shares in exchange for approval of outside-boundary water connections or annexation into the City.

ADOPTED AND APPROVED at a duly called meeting of the Huntington City Council on this 19th day of August, 2026.

CITY OF HUNTINGTON

By: _____

Leonard Norton, Mayor

ATTEST

Brandy Wagner, Recorder

City Council Vote as Recorded:

Councilmember Beagley voting	_____
Councilmember Kay voting	_____
Councilmember Miller voting	_____
Councilmember D. Wilson voting	_____
Councilmember G. Wilson voting	_____

A complete copy of Ordinance No. O-2026-08 is available in the office of the Huntington City Recorder located at 20 South Main Street, Huntington, UT 84528