

Chapter 2

SECONDARY WATER CONNECTIONS

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8-2-1: DEVELOPMENT ACTIVITY DEFINED:

For purposes of this chapter, the term "development activity" shall mean any construction or expansion of a building, structure or use, or any change in the use of a building or structure, or any change in the use of land that creates additional demand upon or affects the city culinary water system or the TSWS. (Ord. 2009.01, 2-12-2009)

8-2-2: CONNECTION REQUIRED:

Unless waived as provided in section [8-2-4](#) of this chapter, it is hereby required that at the time any new development activity occurs on any parcel of real property located within the city boundaries, the property owner shall be required to physically connect such real property to the Toquerville secondary water system (TSWS), as described in this chapter. If the new development activity is to occur on a single parcel of real property, which is to remain a single parcel of real property following such development activity, the owner of such real property shall be required to make at least one connection to the TSWS for such parcel of real property. If the new development activity is to occur on real property which is a proposed or existing subdivision, then the owner of each parcel of real property or each lot within the proposed or existing subdivision shall be required to make at least one connection to the TSWS for each parcel of real property or each lot within the proposed or existing subdivision. (Ord. 2009.01, 2-12-2009)

8-2-3: PERFORMANCE OF CONNECTIONS:

- A. All connections shall be performed by the Washington County water conservancy district ("district"), unless otherwise agreed to in writing by the district, which consent shall be granted or withheld by the district pursuant to its standard operating procedures or guidelines. All connections to the TSWS shall be made in compliance with all construction and design standards relating to the TSWS adopted by the district. (Ord. 2009.01, 2-12-2009; amd. 2014 Code)
- B. If property owner has the district make the connection to the TSWS, the property owner shall pay to the district any connection or impact fees or charges required by the district at the time specified by the district. If the physical connection to the TSWS is being performed by persons or entities other than the district, said connection shall be inspected and approved by the district or its designee pursuant to the district's operating procedures or guidelines. (Ord. 2009.01, 2-12-2009)

8-2-4: WAIVER OF MANDATORY CONNECTION:

The requirements for mandatory connection to the TSWS under section [8-2-2](#) of this chapter may be waived with respect to a specific parcel or parcels as provided herein. Any property owner seeking such a waiver of the requirements to connect to the TSWS may file a written request for a waiver of such requirements with the city. Any such request should include such information as may be necessary for the city council to determine if it is feasible (physically and financially) for the particular parcel or parcels in question to connect to the TSWS. All such written requests shall be reviewed by the city engineer and all applications which are confirmed by the city engineer shall be forwarded to the city council for review. If, after review and written confirmation by the city engineer, it is determined by the city council that it is not feasible (physically and/or financially) for a particular parcel or parcels of real property to connect to the TSWS, the city council may waive the requirement for mandatory connection set forth in section [8-2-2](#) of this chapter as to a specific parcel or parcels. Nothing in this section shall be construed as an implied waiver and such a waiver may only be granted if specifically requested by the property owner as set forth herein. (Ord. 2009.01, 2-12-2009)

8-2-5: PENALTY:

Persons commencing development activity without complying with this chapter shall be guilty of a class B misdemeanor and subject to penalty as provided in section [1-4-1](#) of this code. (Ord. 2009.01, 2-12-2009; amd. 2014 Code)