

## ORDINANCE NO. 10-13-2020

### **AN ORDINANCE AMENDING CERTAIN PORTIONS OF THE EUREKA CITY WATERWORKS ORDINANCE 09-09-2019; ALSO PROVIDING A SAVINGS CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE.**

**WHEREAS** Utah Code § 10-8-84 authorizes the City Council to pass ordinances that are reasonably and appropriately related to the providing for the public health, safety, morals, convenience, order, prosperity, and general welfare of the City and its residents; and

**WHEREAS** the City Council finds it is in the public's interest to amend the wastewater ordinance;

**NOW THEREFORE**, be it ordained by the City Council of Eureka City, that the sections of the Eureka City waterworks ordinance identified as ORDINANCE NO. 09-09-2019 be amended as follows:

**Section V. APPLICATION FOR SERVICES, is hereby amended to add subparagraph F as follows:**

- F. Permit Required.** It shall be unlawful for any person to excavate in any public street before first obtaining a written permit from the City and posting a proper bond. Caution must be taken to prevent the destruction or disturbance of any gutter, drain, gas, water, or other pipe or conduit or the injury or destruction of property of any kind. Blue Stake Center must be called and utilities marked, as well as City utilities. The construction, excavation and backfill requirements shall be in accordance with City standards. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public water line or appurtenance thereof without first obtaining a written permit from the City.

**Section IX. CONNECTIONS AND LINES, subparagraph C, is hereby repealed and replaced with the following:**


- C.** The water service pipe and connections from the main line to property where connection is to be made shall be put in by a bonded contractor at the owner's expense and will be maintained by the City's water department at the owner's expense, and kept within the City's exclusive control. The Connection Fee is to include costs to the City for the supply meter only. All other costs related to the water service pipe and connections shall be at the owner's expense.

**SEVERABILITY:** If any provisions or clause of this chapter or its application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of


competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications which can be implemented without the invalid provision, clause, or application. To this end, the provisions of this chapter are declared to be severable.

**EFFECTIVE DATE.** This ordinance shall become effective on the date passed by the City Council of Eureka.

PASSED AND ADOPTED BY THE EUREKA CITY COUNCIL THIS 13<sup>th</sup> DAY OF October, 2020.

  
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J. NICHOLSON CASTLETON  
Mayor of Eureka City

ATTEST:

  
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PATRICIA BIGLER, City Recorder