

CHAPTER 7. PUMP STATIONS.

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8-7-1. Sewage pump station areas.

Whenever any user makes application for any permits, approvals, subdivision, zoning, or any other actions relating to property situated in areas either within or outside of the POTW which, when connected to the POTW's sewer collection or disposal system, will require the sewage to be pumped into the POTW system, the user thereof shall be required to pay the City all of the costs of the installation and maintenance of the required pumping station in the manner and in the amounts provided in the Tooele City Fee Schedule or as otherwise determined on a time and materials basis.

(Ord. 2015-17, June 3, 2015) (Ord. 1993-12, 09-20-1993)

8-7-2. Withholding of approval.

Notwithstanding the provisions of any other ordinance or regulation of the POTW, the officers and personnel of the POTW dealing with the applications under Tooele City Code 8-8-1 shall withhold granting of the requested applications pending payment, or entry by the applicant into an agreement whereby payments will be made, to the POTW in reimbursement for the costs of the pumping stations as identified in Sections 8-7-3, 8-7-4, and 8-7-5. The officers and employees of the POTW shall not furnish sewer services to users until the agreements are fully consummated and there has been reimbursement and payment for all services and fees due and owing thereunder.

(Ord. 2015-17, June 3, 2015) (Ord. 1993-12, 09-20-1993)

8-7-3. Pumping station areas.

(1) The POTW may cause surveys or engineering studies to be made for the purpose of determining those areas either within or without the POTW which would require the installation and operation of pumping stations. The pumping station areas may include areas outside of the POTW limits which might, by annexation, become a part of the POTW or which might require sewer services from the POTW for the purpose of preserving the health and welfare of residents adjacent to such areas. Nothing herein shall require the City to provide sewage treatment outside of the City limits.

(2) Based upon such studies, the POTW shall establish the pumping station areas and designate their confines in such manner as to enable land owners or users to determine whether or not they fall within the areas requiring sewage pumping stations.

(3) Including pumping station areas located outside the City limits in such studies shall not entitle those areas to sewer treatment by the POTW and shall not be interpreted to indicate the City's desire to annex such areas or to take any other action.

(Ord. 2015-17, June 3, 2015) (Ord. 1993-12, 09-20-1993)

8-7-4. Construction of pumping stations.

(1) The POTW may require the installation of a pumping station in conjunction with developments within the designated area or a portion thereof which will require the construction of a sewage pumping station.

(2) The construction of the pumping stations shall be of such size as the POTW may determine will be necessary to provide pumping to the entirety of a development project, including all phases, even though pending applications before it involve only a portion of a development project. All pump stations shall be planned, designed, and constructed in accordance with applicable State and local laws.

(Ord. 2015-17, June 3, 2015) (Ord. 1993-12, 09-20-1993)

8-7-5. Costs.

(1) The costs of construction for pumping stations shall include costs of land acquisition, easements, legal services, direct labor and materials, costs of direct supervision, and engineering services, plus an amount equal to 10% of all of the foregoing costs for administrative services by the POTW.

(2) The costs of construction shall be allocated among the land owners and/or users of the sewage pumping service area in the same proportion that the total of each land owner's area bears to the total area of land situated within the pumping service area.

(3) The foregoing method of allocation of costs may be varied by action of the POTW when, in its judgment, it finds that unusual topography or other physical circumstances or the contemplated use or uses require a different method of allocating costs. If the pumping station is constructed prior to the filing of an application by a land owner or user, the costs of construction will be the actual costs expended. If the City constructs the pumping station, the City may assess pro rata costs for developments utilizing the pumping station capacity plus a reasonable administrative cost of 10%.

(4) If the pumping station has been constructed at the time the application is filed, then costs shall be the costs estimated by the City Engineer or which may be computed based upon contracts let to contractors or subcontractors to perform the construction. The estimated costs shall be used as the basis for establishing the amount of any payments required in advance until such time as construction is completed and actual costs are determined, at which time the costs shall be recomputed and allocated based upon the actual costs.

(5) Costs of operation and maintenance shall be allocated among the users of the sewage pumping service area.

(Ord. 2015-17, June 3, 2015) (Ord. 1993-12, 09-20-1993)

8-7-6. Method of payment.

At the time an application is made to the POTW, the City shall require the applicant to enter into an agreement with the City whereby the applicant will pay his share of the sewage pumping station construction costs at such time or times fixed by the City. The agreement may require the applicant to pay a lump sum in cash or the City may specify a payment schedule as may be determined will best fit the needs of the City. The agreement shall provide, in the event the applicant fails to make the payments, as provided, the City may refuse to provide services until such time as payments have been made.

(Ord. 2015-17, June 3, 2015) (Ord. 1993-12, 09-20-1993)

8-7-7. Property of POTW.

Regardless of the manner in which construction of the sewer pumping station has been achieved, whether by direct action upon the part of the POTW or by action of any applicant, the pumping station shall be deemed the property of the POTW. All maintenance after acceptance shall be performed by the POTW or its designee. Ownership of the pumping station shall be conveyed to the City by deed and/or bill of sale, as applicable. Pumping stations required by the City to remain under private ownership shall remain privately owned, operated, and maintained.

(Ord. 2015-17, June 3, 2015) (Ord. 1993-12, 09-20-1993)