

CHAPTER 4. WATER SUPPLY

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9-4-1. Waterworks.

Tooele City shall have the power to construct, maintain and operate a waterworks system including storage reservoirs, streams, canals, ditches, water mains, pipes, drains, services and fire hydrants or to authorize the construction, maintenance and operation of the same by others, or purchase or lease such works or systems from any person or corporation, and they may sell and deliver the surplus product or service capacity of any such works, not required by the City or its inhabitants, to others beyond the City limits. The waterworks constructed by Tooele City Corporation or others upon authorization of the City shall be designated and known as the Tooele City Waterworks System and it shall be the property of Tooele City.

(Ord. 1980-45, 12-4-1980)

9-4-2. Fees and regulations adopted by resolution.

(1) The Tooele City Council shall enact fees and regulations by resolution regarding water connections, water consumption and the inspection of water line installations. Unless otherwise provided in the resolution, all said regulations and fees shall take effect immediately upon final adoption by the Council and approval by the Mayor.

(2) All water connection permits issued by Tooele City shall lapse two years from the date thereof unless prior thereto a meter deposit is paid to Tooele City and water is delivered by Tooele City through said connection.

(3) Water connection fees shall be payable with the application for a water connection which application shall be made where applicable with the building permit and no building permit shall issue where water connection is contemplated, prior to the payment of the water connection fee.

(Ord. 79-32, 12-14-79; 78-22, 8- -78)

9-4-3. Written application for water.

Application for the use of water must be made on printed forms, furnished by the Council and signed by the applicant. The applicant shall state fully and truly the purpose for which water is required, and shall agree to conform to, and be governed by such rules and regulations as may be prescribed by the Council for the control of the water supply. Said applicant shall, in his application, state the location and kind of building to be supplied.

Any person desiring to discontinue the use of water supplied to any premises for a period of not less than one month shall give notice in writing to the Mayor. No reduction or abatement of water rates shall be made unless such notice shall be given. No sprinkling will be allowed unless premises are supplied through a meter. (Ord. 1967-3, 08-14-1967)

9-4-4. Users to pay expense of installation.

All water meters shall be installed at the expense of the service owner or user, payable in advance. The Council shall by resolution fix the amount of each service installation charge and the terms and conditions thereof. (Ord. 1967-3, 08-14-1967)

9-4-5. Quality of service pipe, permit and fee.

All service and other pipes used underground shall be of such material as approved by the Tooele City Plumbing Code, and the Utah State Department of Health, laid so that the finished elevation shall provide not less than four feet of cover material above said pipe, with the bedding of said pipe to be approved by the Tooele City Building Official or the City Engineer prior to installation, with all pipe used to be approved by the National Sanitation Foundation and approved by the Tooele City Building Official or the City Engineer prior to installation as to class, type and size. All new construction or replacement of existing water lines shall meet the requirements of the Tooele City Building and Construction codes, and all backfill density shall meet or exceed 95% of maximum laboratory density as determined by AASHO Designation T-99, Method D. Building permits shall be acquired prior to any such construction or replacement. Each separate dwelling structure shall have a separate service lateral connected to the City water main.

Each service lateral shall have a corporation stop at the junction of the main and service lines.

No consumer shall be permitted to conduct water pipes across lots or buildings to adjoining premises, without permission from the Mayor, and a stop-cock and key-box shall be attached at the junction of such service pipe.

(Ord. 1975-3, 4-28-1975)

9-4-6. Service pipes to be kept in good repair.

All water users shall keep their sprinklers, hydrants, faucets, valves, hoses, connections, fixtures and other apparatus and service pipes, except service pipes running from the main line to the meter, in good condition at their own expense. Tooele City shall maintain the service pipe

from the main line to and including the water meter and other apparatus within the meter box. The water user shall maintain all other service pipes and other fixtures or apparatus, on the outlet side of the meter box to the service location. Whenever service pipes or fixtures or apparatus, other than the service line from the main line to and including the meter box, and the fixture therein, are broken or not in a serviceable condition, the consumer shall, upon written notice make the necessary repairs or replacements at his expense. Should he fail to do so water shall be turned off or service limited and not turned on again until said replacement or repairs are made.

No person, except under the direction of the Mayor and in compliance with the provisions of Title 4, Chapter 9 of this Code, shall dig into the street, sidewalk, right of way or other public place within the limits of Tooele City, for the purpose of laying, removing or repairing any service pipe. (Ord. 1983-02, 6-4-1983)

9-4-7. Separate connections.

It shall be unlawful for two (2) or more separate water users to be connected onto one water meter or service line connection, unless the premises of all such water users are owned by the same owner. In all such cases where any one property owner has two (2) or more separate water users connected onto the City main by means of one water meter or service connection, the property owner shall in all cases be primarily liable to the City for all water used on all such premises. (Ord. 1967-3, 08-14-1967)

9-4-8. Fire hydrants.

(1) Fire hydrants shall be of the compression or gate type conforming to AWWAC 502 specifications, and shall be of a make that has been adopted by the City for standard use. Fire hydrants shall be placed on all water mains at least every four hundred feet (400').

(2) It shall be unlawful for any person not duly authorized by the mayor or his designated representative to open or operate any fire hydrant or to tamper or interfere with or attempt to draw water therefrom or in any way to obstruct the approach thereto.

(3) It shall be unlawful for any person to interfere with, tamper with, or injure, break, damage or destroy any water meter, fire hydrant, or any other attachment pertaining to the water works system of Tooele City. (Ord. 2016-13, 07-06-2016) (Ord. 1977-22, 11-19-1977)

9-4-9. Fire hydrant wrenches.

It shall be unlawful to have a fire hydrant wrench. The Mayor upon application shall furnish wrenches for fire hydrants to the Chief of the Fire Department for the use of the Department, and to such other persons as may be duly authorized.

It shall be unlawful for any person without due authority to have in his possession, any wrench for a fire hydrant.

It shall be unlawful for any person having lawful

charge of any hydrant wrench to permit the same to be taken from him, or from place of deposit, or to permit such wrench to be used for any purpose other than that authorized by the Mayor. (Ord. 1967-3, 08-14-1967)

9-4-10. Use without payment prohibited.

It shall be unlawful for any person by himself, family, servants, or agents to use the water coming through the water mains without first paying therefor as hereinafter provided, or without authority to open any stop-cock or other fixture attached by the system of water supply, or to in any way injure, deface or to cast anything into any reservoir or tank belonging to said waterworks. (Ord. 1967-3, 08-14-1967)

9-4-11. City may shut off water, when, no liability.

The City reserves the right at any time without notice, to shut off the water from its mains for the purpose of making repairs or extension or for other purposes, and no claims shall be made against the City, by reason of the breakage, stoppage, or interruption of any service pipe or service cock, or for any other damage that may result from the shutting off of water for repairing, laying or relaying mains, hydrants or other connections. (Ord. 1967-3, 08-14-1967)

9-4-12. Notice to water users, delinquency.

The Mayor shall cause to be mailed or delivered to each water user, a notice stating the amount of water rates assessed against him and date when payment is due. If payment is not received within thirty (30) days from the date due, the Mayor may mail or deliver to the water user, a notice stating that if the payment is not received within 15 days the water will be turned off. This notice must explain that any disputes may be taken to the City Department of Finance, who has the authority to settle such disputes. The notice shall also state that if the water is turned off, a fee in addition to the delinquent payment must be paid before the water will be turned on, such fee being adopted by Resolution as part of the Tooele City Fee Schedule. (Ord. 1997-44, 06-04-1997); (Ord. 1980-42, 10-2-1980)

9-4-13. Turning on after being turned off prohibited.

It shall be unlawful for any person, after the water has been turned off from his premises on account of nonpayment of rates or other violation of the rules and regulations pertaining to the water supply, to turn on or allow the water to be turned on, or use, or allow the water to be used without authority from the Mayor. (Ord. 1967-3, 08-14-1967)

9-4-14. Waste prohibited.

It shall be unlawful for any water taker to waste water, or to allow it to be wasted by imperfect stops, valves, leaky joints, faucets, or stops, or through basins, water closets, urinals, sinks or other apparatus or to use

the water for purposes other than those for which he has paid, or to use water in violation of the rules and regulations for controlling the water supply, or other provisions of this Chapter.
(Ord. 1967-3, 08-14-1967)

9-4-15. Water not to be supplied to motors, irrigation.

No water shall be supplied from the pipes of the City waterworks for the purpose of driving any motor, syphon, turbine, or other wheels, or any hydraulic engines, or elevators, or for driving or propelling machinery of any kind whatsoever, nor shall any license be granted or issued for any such purpose except by special permission of the Mayor.
(Ord. 2002-08, 04-17-2002); (Ord. 1967-3, 08-14-1967)

9-4-16. Restriction of water use.

(1) In time of water shortage, whenever it shall in the judgment of the mayor be necessary, the mayor shall, by proclamation and without prior approval of the City Council, limit the use of water within the limits of Tooele City or as supplied by the Tooele City culinary distribution system to such an extent as may be necessary for the public good. Those nonessential purposes which may be restricted or curtailed absolutely shall include, but shall not be limited to the following:

- (a) Using hoses, sprinklers, or other means of sprinkling or irrigation for watering shrubbery, trees, lawns, grass, plants, vines, gardens, vegetables, flowers, or other vegetation.
- (b) Washing automobiles, trucks, trailers, trailer houses, or other types of mobile equipment.
- (c) Washing streets, driveways, parking lots, service station aprons, office buildings, exteriors of homes, sidewalks, apartments, or other exterior surfaces of buildings or structures.
- (d) Operating ornamental fountains or other structures making a similar use of water and not employing water conservation equipment or subject to excess evaporation as determined by the city engineer.
- (e) Filling swimming and wading pools.
- (f) Operating any water-cooled comfort air conditioning equipment which does not have water conserving features satisfactory to the city engineer.

(2) Whenever the mayor shall determine that an emergency exists requiring the implementation of the provisions of this section, he shall give public notice thereof by proclamation either printed in a newspaper of general circulation within Tooele City or published by other means reasonably calculated to notify the public of restricted watering schedules. The proclamation shall become effective immediately upon such publication or notification.

(3) Whenever more serious water restrictions than those initially instituted by the proclamation are deemed by the mayor necessary to be imposed, the mayor shall meet with the City Council to formulate a plan for instituting appropriate restricted watering schedules,

conservation measures, rationing or other measures.

(4) The mayor may, upon recommendation of county health officers, permit reasonable use of water in any case necessary to maintain adequate health sanitation standards.

(5) Violations. A violation of the proclamation of the mayor or other restrictions, conservation measures, rationing, or other measures established by the mayor and City Council shall be a civil infraction, punishable as follows:

- (a) a first violation during the calendar year: written warning;
- (b) a second violation during the calendar year: \$25 fine;
- (c) a third violation during the calendar year: \$100 fine;
- (d) a fourth or subsequent violation during the calendar year: \$250 fine.

In addition to these civil penalties, the City may cause a violator's water to be shut off or disconnected. In the event a violator's water is shut off or disconnected, the violator shall pay a reconnect fee of \$50 before service is reestablished.

(6) Notice of Violation; service. City Finance Department and Police Department employees are hereby authorized to issue a Notice of Violation for violations of this Section or for violations of the restricted watering schedules established under authority of this Section. A Notice of Violation shall be served upon the violator, if possible, but if the violator is unavailable or unknown, the citation shall be posted at the violating premises. This Section presumes that the water account owner at the location of the violation is the violator. Fine amounts unpaid prior to the next water billing cycle shall be included in the account owner's water bill. Delinquent fine payments shall be invoiced in the same manner, and pursuant to the same procedures, as delinquent water bill payments, and may include water shutoff, reconnection fees, and referral to collections.

(7) Appeals. Appeal of a Notice of Violation shall be to the Administrative Hearing Officer.
(Ord. 2013-07, 04-17-2013); (Ord. 2006-02, 01-04-2006); (Ord. 2002-08, 04-17-2002); (Ord. 1989-15, 09-06-1989)

9-4-17. City's jurisdiction over waterworks, Mayor to have free access.

Tooele City shall have the power to construct or authorize the construction of waterworks within or without the Tooele City limits, and for the purpose of maintaining and protecting the same from injury and the water from pollution, Tooele City's jurisdiction shall extend over and the City shall have free access to all territory occupied by such works, and over and to all reservoirs, streams, canals, ditches, water mains, pipes, drains, services, and fire hydrants used in and necessary for the construction, maintenance and operation of the Tooele City Waterworks System. The City shall also have free access at all reasonable hours, to all places supplied

with water from the Waterworks System, to examine the apparatus, the amount of water used, the manner of its use and to make all necessary "shut-offs" for vacancy, delinquency and violations of this Chapter. Any water taker violating any of the rules and regulations controlling the water supply shall forfeit the right to the use of the water.

(Ord. 1980-45, 12-4-1980)

9-4-18. Unlawful to interfere with city officers.

It shall be unlawful for any person to interfere with, molest, hinder, or obstruct the Mayor, or any of his agents, servants, or employees while in the performance of the duties imposed by the foregoing Sections.

(Ord. 1967-3, 08-14-1967)

9-4-19. Nuisance on watershed.

(1) It shall be unlawful for any person to construct, use or maintain any closet, privy, outhouse, cesspool, urinal or sewage disposal system or any public bathhouse, swimming tank or swimming pool at any place within the watershed area of said City unless such closet, privy, outhouse, cesspool, urinal or sewage disposal system, public bathhouse, or swimming tank is provided with effective germ destroying appliances and without first having obtained from the Mayor and Health Commissioner a permit for the construction, use and maintenance of same.

(2) It shall be unlawful for any person to do or permit to be done any of the things hereinafter described in any canyon or along any stream of water used by the inhabitants of the City for their supply anywhere within the watershed area of said City.

(a) To construct or maintain any corral, sheep pen, pig pen, chicken coop, stable, or any offensive or contaminating yard or outhouse.

(b) To deposit, pile, unload or leave any manure or offensive rubbish or carcass of any dead animals at any place within said watershed area, except at a garbage disposal plant designed by the Health Commission and Superintendent of Waterworks.

(c) To permit any loose cattle, horses, sheep, hogs or any other animals to run at large except where such livestock are more than three hundred feet (300') from any stream or source of water supply within said watershed area.

(d) To stake or graze horses, cattle, sheep, hogs or other animals within three hundred feet (300') of the bank of such stream, except that such horses or cattle may be staked or corralled within such three hundred feet (300') at such place and under such conditions as may be designated by the Health Commissioner and Mayor of the City. The person obtaining such permit must keep the premises whereon said animals are kept in good condition as may be required by the Health Commission and the Mayor and said permit may be revoked at any time by said officer upon failure of the permittee to comply with such reasonable sanitary regulations as are prescribed by

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said officer.

(e) To permit any horses, cattle, sheep, hogs, or other animals to water directly from the stream.

(f) To permit any horses, cattle, sheep, hogs or other animals to remain in or near or to pollute any such stream of water.

(g) To throw or deposit any garbage or other deleterious matter of any kind anywhere within said limits, except at a garbage disposal plant designated by the Health Commission and Superintendent of Waterworks.

(h) To permit any dog to run at large.

(i) To throw or break bottles or glass.

(j) To spread or eat lunch or picnic within one rod of the bank of such stream.

(k) To wade or bathe in the stream.

(l) To wash dishes or other articles in the stream.

(m) To commit any nuisance whatsoever.

(Ord. 1967-03, 08-14-1967)

9-4-20. Unlawful to interconnect irrigation lines to city culinary lines.

It shall be unlawful for any person in interconnect irrigation water lines of whatever source to Tooele City culinary water lines without the express written permission of the Mayor of Tooele City or any agent designated by the Mayor, all pursuant to the laws of the State of Utah regarding culinary water quality.

(Ord. 1980-16, 4-10-1980)

9-4-21. Irrigation outlets to be painted black.

All irrigation water fire hydrants, risers, or other discharge outlets shall be painted black so as to identify said hydrants and risers as being for the discharge of non-potable irrigation water.

(Ord. 2009-06, 05-06-09) (Ord. 1980-16, 4-10-1980)