

AMERICA **250**

UTAH +
TOOELE CITY

Tooele City
Est. 1853

DAY OF SERVICE

09/18/2026



ISSUES INVOLVING SEPTIC SYSTEMS LOCATED WITHIN TOOELE CITY LIMITS

- Sewer Connection Enforcement
 - Costs to the City
 - Fees Imposed by City

*Seeking Direction from City Council

Septic Systems Currently in Tooele City limits

- Several dozen properties that are within 300 feet of City sewer main are not connected.
- City has ability to require connection, but comes at a cost to private property owners.

Septic Systems Currently in Tooele City limits

- City currently allows pre-existing septic tanks, but requires payment of monthly sewer base rate to cover costs of reserving sewer capacity.
- City administration is re-evaluating this practice and seeks direction from Council.

Utah State Code

In order to defray the cost of constructing, reconstructing, maintaining, or operating a sewer system or sewage treatment plant, a municipality may:

- (i) require connection to the sewer system if the sewer is available and within 300 feet of the property line of a property with a building used for human occupancy; and
- (ii) make a reasonable charge for the use of the sewer system. UCA §10-8-38(2)(a).

Utah State Code

If a person fails to connect to the sewer when connection is required under Subsection (2)(a)(i) or fails to pay for the sewer service as required under applicable municipal ordinances, then the municipality may cause the water to be shut off from the premises until the person has: (A) hooked up to the sewer at the person's own expense; or (B) paid in full for all sewer service. UCA §10-8-38(2)(c).

Tooele City Code

No property owner, agent, or other person having charge of or occupying any property within 300 feet of a POTW sewer shall maintain, use, or allow to exist any privy vault, septic tank, or cesspool upon such property. TCC §8-5-6(1).

Tooele City Code

The City shall require the owner of any property containing a building or structure approved, meant, or used for human occupancy to connect to the POTW if: (a) the property is situated within the POTW boundaries; (b) the property lies within 300 feet of an existing POTW sewer, measured directly to the closest point of the POTW sewer; and, (c) capacity in the POTW exists. TCC §8-5-6(3).

Tooele City Code

Any City requirement for connection to the POTW according to this Title shall: (a) be in the form of a written notice issued to the property owner by the City; (b) be delivered to the property owner by certified mail at the property address; (c) identify a deadline not less than 90 days from the date of the notice by which the connection to the POTW must occur; (additional requirements).TCC §8-5-6(5).

Tooele City Code

All costs for permitting, sewer lateral and other construction, and connection to the POTW under this Code shall be borne entirely by the property owner. TCC §8-5-6(4).

Tooele City Code

The City shall maintain, in its sole discretion, the right to seek compliance with the terms of this Section, including from a court of competent jurisdiction, which may include: (a) compliance with the terms of this Section; (b) payment of required fees for permitting, inspection, and connection to the POTW; (c) payment of fines and fees outlined in this Section; and, (d) attorney's fees and costs. TCC §8-5-6(7).

When City allows septic tank:

- City reserves sewer pipe capacity and sewer treatment plant capacity for noncompliant properties.
- This comes at a cost, made up of collection maintenance costs, treatment plant maintenance costs, and treatment plant extension costs.
- Appropriate for property owners within 300 feet of sewer main to pay a share of maintenance costs, even if they do not currently use the sewer service.

Tooele City Code

(2) The POTW [City's Sewer Treatment Works] may adopt fees which may include, but are not limited to ... (k) development and expansion.

(3) [Fees] shall be established by Resolution of the City Council. TCC §8-10-2.

Tooele City Fee Schedule

Sewer Rates. Base fee of \$12.68 per month, and a fee charged as to the average monthly water usage during the winter months (usually November thru March which normally accounts for internal water use only). The fee is \$3.62 per unit per month. An average of \$48.88 will be charged to all new customers until a rate can be established based upon the next winter's water usage period.

Tooele City Fee Schedule

Sewer Rates Base Fee is based upon zero usage.

OPTION #1

CONTINUE TO CHARGE SEWER BASE RATE
FOR SEPTIC USERS.

- No change to what City is currently doing.
- Questions from user as to why what appears to be a usage fee for non-usage.

OPTION #2

STOP CHARGING ANY SEWER-RELATED FEE
FOR SEPTIC USERS.

- Easy policy to apply.
- Avoid any question as to why any fee is charged.
- Comes at a cost to the City.

OPTION #3

CHANGE FROM SEWER BASE FEE TO A
SPECIFIC FEE FOR SEPTIC USERS.

- Can clarify by resolution the cost to the City is for reserving sewer capacity.
- Can consider changing City Code to specifically provide that City may opt for fee rather than compliance.
- Even minimal fee covers part of cost to the City.

ADMINISTRATION REQUESTS DIRECTION FROM COUNCIL

QUESTIONS?