RESOLUTION #07-07 C
A RESOLUTION AMENDING EXTRATERRITORIAL WATER POLICY

WHEREAS, by Resolutions # 84-65C and 04-101C, the City Council of Sandy City, Utah affirmed City policies regarding requests for extraterritorial water connections;

WHEREAS, the Public Utilities Department has requested a change and clarification of these policies;

WHEREAS, the City Council wishes to reaffirm its policies as amended herein;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah as follows:

1. The City Council hereby affirms and amends the following policies:

(a) It is not in the best interests of the City to continue to provide water outside of its borders indefinitely,

(b) Areas in the unincorporated county that now receive surplus water from the City should eventually be annexed by the City or obtain water from other sources;

(c) Other municipalities that have residents who receive surplus Sandy City water should make arrangements to deliver their own municipal service to their residents;

(d) Except as provided herein, no new water connections shall be granted to the unincorporated county unless a petition for annexation of the subject property has first been accepted by the City Council;

(e) Except as provided under existing written agreement with the City, no new water connections shall be granted within the border of other municipalities; and

(f) For purposes of these policies, whenever there is a change of use from residential to non-residential upon any parcel of property outside of the City that is served by surplus City water, such change of use constitutes a termination of the water connection requiring application for a new water connection and compliance with the City' policies regarding new extraterritorial water connections.

2. The Director of Public Utilities is authorized to consider an exception to the requirement of Section 1(d). above provided:

(a) The property owners have filed a complete written application for water service in compliance with the Ordinances of Sandy City and have otherwise complied with all the requirements of the Director of the Department of Public Utilities;

(b) A water service plan for the development has been approved in writing by the Fire Marshal of the jurisdiction providing first response to the site;

(c) The Director of Public Utilities is satisfied that the City currently has sufficient surplus water to service the property without risking interruption of water service to City residents into the foreseeable future;

(d) The development meets each of the following minimum criteria; (1) water lines will be installed in open and unobstructed public rights of way under asphalt surfaces for access during emergencies: (2) high back curb and gutter will be installed to divert flows from a water line break into the storm drain system to mitigate property damage: (3) water lines will be looped rather than dead-ended and (4) water meters must be set before an occupancy permit is issued; and

(e) The City has initiated consideration to annex the property to be served by the new connection, the subdivision plat includes a declaration that water service is contingent upon annexation, and the property owners commit to take all steps necessary to assure completion of the annexation.

3. Extraterritorial water service shall not be considered a right unless established by formal written agreement under the provisions of Utah Code Ann. 610-6-138.

Adopted this 23RD day of January, 2007.

SANDY CITY, UTAH INCORPORATED 1893

Dennis B. Terry
Sandy City Council Chair

ATTEST:

Deanne S. Cushing
City Recorder

RECORDED this 25 day of January, 2007