

**ORDINANCE NO. 2020-06-33**

AN ORDINANCE AMENDING SECTION 17.1.400 OF THE AMERICAN FORK CITY CODE RELATING TO THE CONVEYANCE OF WATER IN AMERICAN FORK.

**WHEREAS**, the City is authorized to enact ordinances as are necessary and proper to promote the health, safety, morals, convenience, order, prosperity, and general welfare of American Fork; and

**WHEREAS**, the City is authorized by law to enact ordinances establishing regulations for development within the city; and

**WHEREAS**, it is in the best interest and general welfare of residents of American Fork to amend the city code relating to the conveyance of water for development.

**NOW THEREFORE**, be it ordained by the City Council of American Fork, Utah that;

**PART I**

**TEXT OF ORDINANCE**

1. Section 17.1.400 be amended to read as follows:

Amount of water right required. The amount (number of acre-feet) of water required to be conveyed to the city as part of a request for approval of an annexation, subdivision, large scale development, site plan, or building permit shall be the amount considered sufficient to meet the water use requirements of the proposed use, to be determined in accordance with the following:

1. Residential uses.
  - a. Indoor uses. Indoor residential requirements shall be based on an Equivalent Residential Connection (ERC) basis as shown in the table in c. below. Each ERC shall be required to convey 0.45 acre-feet of water right for indoor use.
  - b. Outdoor uses. Outdoor residential requirements shall be based on acreage as shown in the table in c. below. For single-family units and two-family units, requirements shall be based on total gross lot acreage. For multi-family units, requirements shall be based on irrigated acreage.

c. Water rights requirements are set forth in the following table:

Residential Development	Indoor Uses		Outdoor Uses
	Equivalent Residential Connections (ERC) Per Dwelling Unit	Acre-Feet Required (ERC x 0.45)	Acre-Feet Required
One dwelling unit per lot	1.00	0.45	At the discretion of the developer, 1.80 acre-feet per acre of lot OR 3.6 acre feet per irrigated acre
More than one dwelling unit per lot: Number of bedrooms per unit	One	0.42	At the discretion of the developer, 1.80 acre-feet per acre of lot OR 3.6 acre feet per irrigated acre
	Two	0.83	
	Three or more	1.00	
Common area with no dwelling unit	N/A	N/A	3.6 acre feet per irrigated acre
All other metered culinary uses	An amount sufficient to meet the projected needs of the proposed development based on an evaluation of demand characteristics for similar uses as determined by the city.		

## PART II

### PENALTY AND ADOPTION

**SECTION 1 – Conflicting Provisions.** Whenever the provisions of this Ordinance conflict with the provisions of any other ordinance, resolution or part thereof, the more stringent shall prevail.

**SECTION 2 – Provisions Severable.** This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it is hereby declared that the remainder of the ordinance shall not be affected thereby.

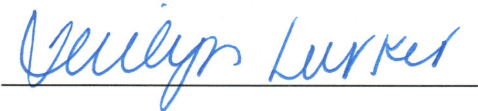
**SECTION 3 – Effective Date.** This Ordinance shall take effect upon its passage and publication as required by law.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF AMERICAN FORK CITY, UTAH, THIS 30 DAY OF JUNE, 2020.



Bradley J. Frost, Mayor

ATTEST:



Terilyn Lurker, City Recorder

