

**ORDINANCE NO. 2025-01-01**

**AN ORDINANCE AMENDING SECTION 17.5.131 TITLED WATER AND SEWER CONNECTION STANDARDS AND PROVIDING FOR THE ADOPTION AND ENFORCEMENT OF THE AMENDMENTS.**

**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**, it is in the best interest and general welfare of residents of American Fork to amend Section 17.5.131 relating to water and sewer connection standards; and

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

**PART I**

**SECTION 1.** Section 17.5.131 of the American Fork municipal code is hereby amended to read as follows:

A. Residential uses.

1. Culinary water and pressurized irrigation. Each dwelling unit shall be served by the city's culinary water and pressurized irrigation system. Each dwelling unit shall be served by an individual service lateral and meter with the following exceptions:
  - a. In the instance of multi-story multi-unit structures on a single lot, the city, at their sole discretion, may authorize the use of oversize connections and a master meter.
  - b. In the instance of a multi-story multi-unit building where the property boundaries of each unit are confined to the extents of the structures and there are no exterior landscaping areas located within the unit's property boundaries, an individual pressurized irrigation service lateral is not required.
  - c. For multiple-family dwelling structures under separate ownership for each unit, separate service laterals and meters are required for each unit. The city administrator, with the advice and recommendation of the city engineer, may in their sole discretion, reduce the required number of meters and service laterals. A common lateral, or multiple common laterals, and single meter for each lateral (or fewer laterals and meters than the number required for each dwelling unit) may be permitted, and are encouraged, to reduce the number of connections to the main line if the following conditions are met:
    1. The applicant shall provide adequate documentation and guarantees to assure adequacy of water delivery including adequate water pressure to all services branching from the common lateral.

2. The water meter for the common lateral shall be placed within a public right-of-way or within a designated culinary water line easement dedicated to the City per easement requirements found in the Municipal Code.
  3. Each unit shall have their own service lateral branching from the common lateral that can be shut off individually for each unit.
  4. The common lateral shall be owned by an HOA.
  5. It shall be the responsibility of the HOA for payment and maintenance of the common lateral.
  6. Submittal of a utility liability indemnification document, indemnifying the city against damages that may occur to tenants within the building as a result of a malfunction of the common utility system and agreeing to retro-fit the utility system to provide individual water and sewer laterals to each unit in the event of a malfunction or as required by the City Engineer. This document shall be recorded at the Utah County Recorder's office in perpetuity for all affected lots.
2. Sewer. Each dwelling unit shall be served by the city's sewer collection system. Each dwelling unit shall be connected to the sewer collection system by an individual lateral, except that in the instance of multi-story multi-unit structures on a single lot, the city engineer, may in their sole discretion, reduce the required number of service laterals. A common lateral, or multiple common laterals (or fewer laterals than the number required for each dwelling unit) may be permitted, and are encouraged, to reduce the number of connections to the main line if the following conditions are met:
- a. The common lateral shall be owned by an HOA.
  - b. It shall be the responsibility of the HOA for payment and maintenance of the common lateral.
  - c. Submittal of a utility liability indemnification document, indemnifying the city against damages that may occur to tenants within the building as a result of a malfunction of the common utility system and agreeing to retro-fit the utility system to provide individual water and sewer laterals to each unit in the event of a malfunction or as required by the City Engineer. This document shall be recorded at the Utah County Recorder's office in perpetuity for all affected lots.
- B. Commercial, industrial, mixed uses, and institutional uses. Minimum standards for culinary water, pressurized irrigation and sewer connections for commercial, industrial, mixed uses, and institutional uses are as follows:
1. Buildings. At a minimum, each building shall be served by a separate water and sewer connection which is connected directly to city water and sewer laterals having sufficient capacity to accommodate the anticipated demand from the proposed use.

2. Lots. Each lot shall be served by an individual service lateral and meter connected to the city's pressurized irrigation system.
3. Multi-tenant. Each multi-tenant building shall conform to the following standards, as applicable:
  - a. In the instance of a single-story building where the units in the building are designed to be divided into separate units and intended to be owned by separate owners, each unit shall be served by individual water and sewer service laterals connected directly to a city water and sewer line having sufficient capacity to accommodate the anticipated demand from the proposed use.
  - b. In the instance of a single story building where all of the units within the building are to remain in single ownership, the city may authorize the use of a single water and/or sewer connection for the entire building subject to: (1) the providing of adequate assurances of continued unified ownership, (2) submittal of a document, acceptable to the city, indemnifying the city against damages that may occur to tenants within the building as a result of a malfunction of the common utility system and agreeing to retro-fit the utility system to provide individual water and sewer laterals to each unit in the event of a sale of any of the units within the building to a separate owner.
  - c. In the instance of a multi-unit building intended to be divided into separately owned units (condominium project), except as otherwise stated herein, each unit utilizing culinary water and/or sewer shall be served by an individual water service lateral and meter which are connected directly to a city water line and each unit shall be served by an individual sewer service lateral which is connected to a city or private sewer line having sufficient capacity to accommodate the anticipated demand from the proposed use.
    1. The City may permit only a single water line and single sewer service lateral to the entire building upon the following findings by the City Engineer: (1) the building is subject to a valid condominium ownership association, (2) use of water and sewer is limited only to common areas of the building, (3) an indemnification agreement indemnifying the city against damage that may occur to units within the building as a result of a malfunction of the common utility system has been received, and (4) an agreement to retro-fit the utility system to provide individual water and sewer laterals to each unit in the event of dissolution or termination of the condominium ownership association has been received.
  - d. In the instance of a multi-story, multi-unit, mixed use building where all units within the structure are to remain in single ownership, the city may authorize the use of a single water and/or sewer connection for each land use type within the structure subject to: (1) the providing of adequate assurances of

continued unified ownership, (2) submittal of a document, acceptable to the city, indemnifying the city against damages that may occur to tenants within the building as a result of a malfunction of a common utility system and agreeing to retro-fit the utility system to provide individual water and sewer laterals to each unit in the event of a sale of any of the units within the building to a separate owner

## PART II

### SECTION 1. Severability

The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

### SECTION 2. Amendments to be added to the City Code.

The City Council hereby directs that the provisions enacted by this ordinance shall be made and placed in the City Code.


### SECTION 3. Effective Date

This ordinance shall take effect immediately upon its passage and publication as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF AMERICAN FORK, STATE OF UTAH, ON THIS 14TH DAY OF JANUARY 2025.

  
Bradley J. Frost, Mayor

ATTEST:

  
Terilyn Lurker, City Recorder

