

ORDINANCE NO. 2022-11

AN ORDINANCE ENACTING SECTION 9.02.205 OF THE CENTERVILLE MUNICIPAL CODE REGARDING PROHIBITED USE OF CULINARY WATER FOR IRRIGATION PURPOSES, ENACTING SECTION 9.02.207 OF THE SAME REGARDING PROHIBITED CONNECTION TO CULINARY WATER SYSTEM FOR IRRIGATION PURPOSES, AND ENACTING AND AMENDING VARIOUS OTHER SECTIONS OF CMC 9.02 REGARDING CULINARY WATER AND CMC 9.05 REGARDING IRRIGATION WATER AND NATURAL WATER COURSES

WHEREAS, the City Council desires to enact and amend certain provisions of Chapter 9.02 (Culinary Water) and Chapter 9.05 (Irrigation Water and Natural Water Courses) of the Centerville Municipal Code to add provisions prohibiting the use of culinary water for irrigation purposes and from connecting to culinary water system for irrigation purposes when secondary water is available as more particularly set forth herein; and

WHEREAS, the City Council finds that the proposed amendments to Chapter 9.02 (Culinary Water) and Chapter 9.05 (Irrigation Water and Natural Water Courses) of the Centerville Municipal Code will help conserve culinary water and protect the health, safety, and welfare of Centerville City, its inhabitants, and the environment by improving the City's culinary water system; and

WHEREAS, the City Council desires to adopt the amendments to Chapter 9.02 (Culinary Water) and Chapter 9.05 (Irrigation Water and Natural Water Courses) of the Centerville Municipal Code, as more particularly set forth herein, pursuant to its authority to create ordinances necessary to preserve the health and safety of the City and its inhabitants under Utah Code § 10-8-84 and culinary water regulatory authority provided under applicable state and federal law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH:

Section 1. Amendment. Section 9.02.160 of the Centerville City Municipal Code regarding Faulty Equipment is hereby amended to read in its entirety set forth as follows:

9.02.160 Faulty Equipment

It shall be unlawful for any culinary water user to:

- (a) Use culinary water for irrigation purposes unless otherwise allowed by CMC 9.02.205 or to use culinary water to water or sprinkle lawns, gardens, or landscaped areas ~~Waste culinary water or to use culinary water for irrigation sprinkling~~ during prohibited hours as more particularly set forth in CMC 9.02.210.
- (b) Allow culinary water to be wasted by stops, taps, valves, leaky joints, or pipes, or to allow tanks or watering troughs to leak or overflow.
- (c) Wastefully run culinary water from hydrants, faucets, or stops or through basins, water closets, urinals, sinks or other apparatus.

- (d) Use culinary water for purposes other than for those which the user has applied, or to use water in violation of the rules and regulations for controlling the culinary water supply.

Section 2. Enactment. Section 9.02.205 of the Centerville City Municipal Code regarding Prohibited Use of Culinary Water for Irrigation Purposes is hereby enacted to read in its entirety as follows:

9.02.205 Prohibited Use of Culinary Water for Irrigation Purposes

It is unlawful for any person to use culinary water for irrigation purposes or systems when secondary water is available for the property. Certain areas of the City that do not have access to secondary water are exempt from this Section. See also, CMC 9.05.022.

Section 3. Enactment. Section 9.02.207 of the Centerville City Municipal Code regarding Prohibited Connection to Culinary Water System for Irrigation Purposes is hereby enacted to read in its entirety as follows:

9.02.207 Prohibited Connection to Culinary Water for Irrigation Purposes

It is unlawful for any person to connect to the City culinary water system for irrigation purposes or systems when secondary water is available for the property. Certain areas of the City that do not have access to secondary water are exempt from this Section. When use of culinary water for irrigation purposes is allowed, any connection to the City culinary water system for irrigation purposes or systems shall comply with all applicable City ordinances, regulations, and standards regarding such connections, including, but not limited to backflow prevention regulations and requirements as set forth in CMC 9.05 (Irrigation Water and Natural Water Courses). The property owner shall be responsible for maintaining all service laterals and connections to the City culinary water system good repair in accordance with City ordinances, regulations, and standards. See also, CMC 9.05.024.

Section 4. Amendment. Section 9.02.210 of the Centerville City Municipal Code regarding Water and Sprinkler Restrictions is hereby amended to read in its entirety set forth as follows:

9.02.210 Water and Sprinklers Restrictions

(a) It shall be unlawful for any person to use culinary water to water or sprinkle lawns, gardens, or landscaped areas ~~gardens as more particularly provided in CMC 9.02.205.~~

~~(a)~~(b) Except as provided herein, it shall be unlawful for any person to water or sprinkle lawns, gardens, or landscaped areas between the hours of 10:00 a.m. and 6:00 p.m. An exception to time restrictions is provided for sprinkler system startups, shutdowns, and repairs, so long as the use of water during these times for sprinkling is minimal and solely related to the necessary irrigation system functions and repairs.

~~(b)~~(c) It shall be unlawful for any person to use such number of outlets simultaneously or to use such sprinklers or combinations of sprinklers or outlets as will in the opinion of the water superintendent materially affect the pressure or

supply of water in the municipal culinary water system or any part thereof. The City Council may from time to time, by resolution, specify combinations or numbers of outlets which may have such effect.

Section 5. Amendment. Section 9.05.020 of the Centerville City Municipal Code regarding Prohibited Use of Irrigation or Nonpotable Water is hereby amended to read in its entirety set forth as follows:

9.05.020 Prohibited Use Of Irrigation Or Nonpotable Water

It shall be unlawful for any person, firm or corporation to:

- (a) Use or cause to be used any untreated or nonpotable water from a pressure irrigation system for other than irrigation purposes.
- (b) Interconnect or cause to be interconnected the potable and nonpotable portions, distribution systems or service lines of dual water supplies or extension thereof.
- (c) Install or cause to be installed in the same trench or trenches the distribution or service lines of potable and nonpotable water.
- (d) Connect or cause to be connected a service line to any distribution system or main line carrying nonpotable water without authority of the irrigation district, municipality, company or person having jurisdiction of the nonpotable water supply.
- (e) Extend or cause to be extended into any building a nonpotable water supply system or service line.
- (f) Connect or cause to be connected to any fire hydrant, a nonpotable water supply system or service line.
- (g) Expose or cause to be exposed any portion of nonpotable water supply system or extensions or service lines thereof without identifying the same by distinctive coloring or other suitable means sufficient to distinguish the same from potable water supply systems, extensions or service lines.
- (h) Contaminate or cause to be contaminated any source of supply, distribution system, or service line furnishing or carrying nonpotable water or potable water.
- (i) Use irrigation or nonpotable water to water or sprinkle lawns, ~~or~~ gardens, or landscaped areas between the hours of 10:00 a.m. and 6:00 p.m. An exception to time restrictions is provided for sprinkler system startups, shutdowns, and repairs, so long as the use of water during these times for sprinkling is minimal and solely related to the necessary irrigation system functions and repairs.

Section 6. Enactment. Section 9.05.022 of the Centerville City Municipal Code regarding Required Use of Irrigation Water for Irrigation Purposes is hereby enacted to read in its entirety as follows:

9.05.022 Required Use of Irrigation Water for Irrigation Purposes

When secondary water is available for any property, such secondary water must be used for irrigation purposes and systems, and it is unlawful to use culinary water for such irrigation purposes or systems. Certain areas of the City that do not have access to secondary water are exempt from this Section. See also, CMC 9.02.205.

Section 7. Enactment. Section 9.05.024 of the Centerville City Municipal Code regarding Required Connection to Secondary Water for Irrigation Purposes is hereby enacted to read in its entirety as follows:

9.05.024 Required Connection to Secondary Water for Irrigation Purposes

When secondary water is available for any property, connection to such secondary water must be made and obtained for irrigation purposes and system, and it is unlawful to make any connection to the City culinary water system for irrigation purposes or systems. Certain areas of the City that do not have access to secondary water are exempt from this Section. See also, CMC 9.02.207.

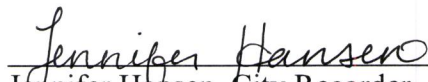
Section 8. Severability Clause. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all provisions, clauses and words of this Ordinance shall be severable. This Section shall become effective without codification.

Section 9. Effective Date. This Ordinance shall become effective on immediately upon publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE,
STATE OF UTAH, ON THIS 3rd DAY OF MAY, 2022**

ATTEST:

CENTERVILLE CITY


Jennifer Hansen, City Recorder

By: 
Mayor Clark A. Wilkinson

Voting by the City Council:

	“AYE”	“NAY”	“ABSENT”
Councilmember Hirst	<u>X</u>	_____	_____
Councilmember Ince	<u>X</u>	_____	_____
Councilmember McEwan	<u>X</u>	_____	_____
Councilmember Mecham	<u>X</u>	_____	_____
Councilmember Summerhays	<u>X</u>	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

Jennifer Hansen
JENNIFER HANSEN, City Recorder

DATE: 5-10-2022

RECORDED this 10th day of May, 2022.

PUBLISHED OR POSTED this 10th of May, 2022.

