

ORDINANCE NO. 09-04-2011

AN ORDINANCE MODIFYING FIRE PROTECTION STANDARDS IN AREAS NOT SERVICED WITH CITY UTILITIES, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Council has been given specific authority in Title 10, Chapter 9a Utah Code Ann. 1953 to adopt a zoning plan including ordinances which regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures and the uses of land; and

WHEREAS, the City's Land Use Development and Management Code regulates the location and development requirements for certain uses of property within the City; and

WHEREAS, a request to amend Title 10 and Title 11 of the Revised Ordinances of Santaquin City (the Land Development Code) has been submitted requesting revisions to the fire protection standards in areas not serviced by City utilities; and

WHEREAS, the Santaquin City Planning Commission held a public hearing on April 28, 2011 and subsequently forwarded its positive recommendation for the proposed amendment to the City Council. The noted hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City and which notice of public hearing was published in the Payson Chronicle Newspaper in accordance with Section 10-9a-205 of the Utah State Code, and;

WHEREAS, a public meeting was held before the Santaquin City Council on May, 4, 2011, May 25, 2011 and June 1, 2011 to consider adoption of the proposed amendment; and

WHEREAS, the Council has determined the following:

1. Impractical fire protection regulations within agriculture areas of the City limit a property owner's ability to reasonably facilitate agriculturally sustaining residential development, require increased development within agricultural preservation areas to feasibly provide such protection, and potentially over-extends municipal infrastructure; and
2. The proposed language furthers the City's General Plan adopted May 2, 2007 in that it serves to encourage the preservation of prime agricultural heritage within and around Santaquin, ties development approval to the construction of primary culinary water, sewer, storm drainage, circulation systems, and adequate fire protection systems, and growth should be directed to locations where services can be provided in a cost-effective and efficient manner; and
3. The objectives of the Santaquin City Code, Title 10 are more fully carried out through the proposed regulations and standards, specifically facilitating adequate provisions for transportation, water, sewage, schools, parks, and other public requirements, promoting safety from fires, floods, traffic hazards, and other dangers, and discouraging undue scattering of population and unnecessary expenditure of monies for excessive streets, water and sewer lines, and other public requirements.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Santaquin City, State of Utah, as follows:

Section I.

1. Santaquin City Code (S.C.C.) §10-7O-A.2 is amended as follows (underlined text is added, stricken text is deleted)

A. Water Systems:

1. ——— Sufficient culinary and irrigation water rights and/or systems must be provided to each new lot created within this zone. Public or private water sources may be utilized dependent upon delivery means and proximity to public sources. If public sources will be utilized, water rights shall be dedicated and infrastructure constructed to handle any new demands on the system. All proposed systems and/or water rights must be approved for adequacy by the city engineering department prior to acceptance by the city council.

2. ——— ~~All fire protection systems and standards must be met including proximity of homes to fire hydrants.~~

2. S.C.C. §11-6-17: CULINARY WATER SYSTEMS is amended as follows (underlined text is added, stricken text is deleted):

A. Public System Standards. The developer shall extend culinary water systems to each lot within a subdivision which shall be in conformance with the city construction standards. The developer shall install water mains and laterals throughout the subdivision, extending to each lot within the subdivision and to the farthest extent of all streets within or adjacent to the subdivision, or beyond as may be determined by the city to be necessary. All water utility trenches within a Santaquin City right of way shall be compacted in conformance with the Santaquin City construction standards. All trenches located outside of a Santaquin City right of way shall be backfilled and compacted as required by the city engineer. Backfill and compaction operations shall be observed and inspected by Santaquin City inspection personnel. The developer shall locate and mark by curb stamping, at the property line, the location of the ends of water laterals.

B. Private Water Systems.

1. Developments over 1,000 feet from an existing public water line and in authorized zones of the City may utilize private water systems. All proposed private systems must be approved for adequacy by the city engineering department prior to approval of preliminary development plans by the City Council.
2. Standards. Private water systems must be designed to meet all City standards for delivery and construction design as if it were a public system.
3. A maximum of 5 homes are permitted on a private water system.
4. Connection to Public System.
 - a. Private water system users are not required to connect to the City's public water line if future development constructs a public water line within 1,000 feet of their private system.
 - b. Private system users desiring to connect to the City's public system, shall pay for the connection costs and provide water rights or money-in-lieu of water rights sufficient for the

City to provide services to their properties. All users of a multi-user private system must connect to City's services at the same time.

3. S.C.C. §11-6-18: FIRE PROTECTION is amended as follows (underlined text is added, stricken text is deleted):

A. ~~Subdivisions Not Within An Agriculture Zone~~ on Public Water Systems: Fire hydrants shall be installed by the subdivider, spaced not more than two hundred fifty feet (250') from the farthest point along the front property line of each lot within the subdivision and not farther than five hundred feet (500') apart, as measured through the right of way.

B. ~~Subdivisions Within Agriculture Zones Having an Approved Private Water System~~:

1. ~~All new single family homes and bunkhouses shall be fire sprinkled unless such are located within two hundred fifty feet (250') of a public or private fire hydrant. Guest cottages need not be fire sprinkled. All homes on private water systems shall be equipped with a fire detection system which will communicate directly with dispatch services.~~

~~2. Developments having parcels less than five (5) acres in size shall install hydrants in accordance with subsection A of this section and Santaquin City construction standards.~~

~~3.2.~~ Homes with over six thousand (6,000) square feet of floor area, including basements, garages, and deck space, etc., which are required to be not within two hundred fifty feet (250') of a public or private fire hydrant and, must be fire sprinkled. Home sprinkler systems must be designed by a State licensed engineer so that its flow is independent of culinary pressure in the home and operable at all times.

3. Developments located in recognized wildland-urban interface areas must provide the following fire protection systems.

a. Fire hydrants, stand pipe, or other Fire Official approved source of water supply shall be located within 250 of each dwelling. If hydrants will be installed they must be constructed in accordance with subsection C of this section and Santaquin City construction standards.

b. Fire flows shall be provided in accordance with the International Fire Code.

4. Developments located outside of wildland-urban interface areas are not required to provide fire protection systems other than those listed in paragraph 1 and 2 above.

C. Fire Hydrants:

1. All fire hydrants providing service to residential areas shall produce a flow of one thousand (1,000) gallons per minute at a residual pressure of ~~forty (40) psi~~ for a period of ~~two (2)~~ one (1) hours.
2. Fire hydrants must be installed in accordance with the Santaquin City construction standards, the international building code and applicable National Fire Protection Association (NFPA) standards.

4. S.C.C. §10-7P-7: PROPERTY DEVELOPMENT STANDARDS, paragraph A is amended as follows (underlined text is added):

A. Water Systems: Sufficient culinary and irrigation water rights and/or systems must be provided to each new lot created within this zone. Private water systems are not allowed if the buildings serviced in the development are within 1,000 feet of an existing public water system.

Section II. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished, sections of the ordinance may be re-numbered or re-lettered. Typographical errors which do not affect the intent of this ordinance may be corrected without need of public hearing by filing a corrected or re-codified copy of the same with the City Recorder.

Section III. Severability

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to the section, subdivision, sentence or part of the section held to be unconstitutional or otherwise invalid.

Section IV. Effective Date

The City Recorder shall deposit a copy of this ordinance in the official records of the City on September 22, 2011, and before 5:00 p.m. on that same day, shall place a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on September 22, 2011.

PASSED AND APPROVED this 21th day of September, 2011.



James E. DeGraffenried
James E. DeGraffenried, Mayor

ATTEST:

S. B. Gunsworth
City Recorder

Councilmember Filip Askerlund	Voted	<u>NO</u>
Councilmember Martin P. Green	Voted	<u>yes</u>
Councilmember James F. Linford	Voted	<u>yes</u>
Councilmember Rick Steele	Voted	<u>yes</u>
Councilmember Brent Vincent	Voted	<u>NO</u>