

ORDINANCE 20-13

WHEREAS, the City Council of Smithfield City, Cache County, Utah, passed and adopted the Smithfield Municipal Code on November 11, 2015; and

WHEREAS, the City Council has determined there is a need to update, repeal, amend and/or modify certain provisions contained in the referenced Municipal Code;

NOW, THEREFORE, the City Council of Smithfield City, Utah hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 13 “PUBLIC SERVICES”, SECTION 13.16.140 “USE OF SEWER SYSTEM MANDATORY”.

BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, UTAH, AS FOLLOWS:

1. The following sections shall be amended as indicated. Those portions which are struck out shall be deleted and those that are highlighted in yellow shall be added.

13.16.140 USE OF SEWER SYSTEM MANDATORY

- A. It is unlawful for the owner or other person having charge of or occupying any property upon which a building shall have been or is being constructed for residential, commercial or industrial use, any part of which building is ~~within three hundred feet (300') of any street, alley or way in which a public sewer is then in existence and used in the city~~ **within the city limits,** to construct or permit to be constructed or to use, or to permit to be used, any privy vault, septic tank or cesspool connected with such building. Each owner or other person shall, within sixty (60) days after having been given notice by the city that an accepted public sewer is ready to receive connections, cause such building to be connected with said sewer (except that if such building shall not, at the time such notice is given, have therein any toilet or toilets, the owner or other person having charge thereof or occupying such building shall have a period of 2 years in which to connect it with such public sewer) and it shall thereafter be unlawful for such owner or other person to have the plumbing in such building remain unconnected to the public sewer or to maintain or use or cause or permit to exist any privy vault, septic tank or cesspool to which said building is connected or which is used by the occupant thereof. Whenever an accepted public sewer is available to receive connections therewith, the city engineer shall cause appropriate notice to be served upon the owner, agent or other person having charge of or occupying all property coming within the scope of this section, that said public sewer is ready to receive connections therewith and then all plumbing must be connected with such sewer.
2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the Ordinance as whole, or any other part thereof.
3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
4. This ordinance shall become effective after the required public hearing and upon its posting as required by law.

THIS ORDINANCE shall be attached as an amendment to the Smithfield Municipal Code above referred to.

Approved and signed this 22nd day of April, 2020

SMITHFIELD CITY CORPORATION

Jeffrey H. Barnes, Mayor

ATTEST:

Justin B. Lewis, City Recorder