

# TITLE IV

## PUBLIC PROPERTY/UTILITIES

### CHAPTER 1

#### STREET AND SIDEWALK REGULATIONS

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4-01-010. **BUILDING LINE ON STREET.** No building or house erected on the boundary or edge of any street, lane, avenue, or alley of this City shall extend further into the street than the outer edge of the lot or the inner edge of the sidewalk.

4-01-020. **STREETS AND SIDEWALKS CONSTRUCTED BY INDIVIDUALS.** It shall be unlawful for any person, either as owner, agent, servant, contractor or employee, to construct any street or sidewalk within the public right-of-way unless a permit is first obtained from the Public Works Department to do so. Such street or sidewalk shall be constructed to lines and grades and specifications as given and established by the City Standards or unless special permission to deviate from such lines and grades is first obtained from the City. All such streets and sidewalks shall be constructed under the supervision of a city inspector, but the cost of indicating grade and lines shall be borne by the person constructing said street or sidewalk. (Ord. 12-07)

4-01-030. **OBSTRUCTIONS.** All persons are hereby forbidden to obstruct the sidewalks, crosswalks, or streets of this City, or to place any earth or substance on said sidewalks, or to permit any gate or other obstruction to swing across any sidewalk of this City to the annoyance of another person unless granted special permission by the Public Works Department to place obstructions on sidewalks or streets when necessary for improving the same or to provide protection when buildings are in the course of construction. (Ord. 12-07)

4-01-040. **LOCATION OF POLES ON STREETS.** All sign posts, , telephone or light poles, awnings, porch posts, or other obstructions shall be set at the outer edge of the sidewalk

at such places as the City Engineer may designate. No pole stubs shall be set on any , telephone, or light poles located on a public street or sidewalk within the City. (Ord. 12-07)

**4-01-050. HEIGHT OF AWNINGS, PORCHES, AND SIGNS.** All awnings, porch tops, and sign boards crossing or extending over any sidewalk in this City must be at least eight (8) feet above the grade of the sidewalk.

**4-01-060. STREET AND SIDEWALK CLEANLINESS**

A. It shall be the duty of the owner or occupant of private property fronting upon a public sidewalk to remove all weeds and noxious vegetation from such property and in front thereof to the curb line of the street and to keep the sidewalks in front of such property free from dirt, litter, snow, ice or obstructions. (Ord. 12-07)

B. It shall be the duty of general contractors, owner-builders, or owners of every residential or commercial building construction site to keep the construction site in a condition of cleanliness and healthfulness by:

- (1) Preventing the accumulation of garbage or refuse, including boards, bricks, stones, trash etc., into disorderly stacks or piles. A commercial trash bin or suitable container, located on the site, shall be used for refuse on the construction site and shall be emptied when full;
- (2) Maintaining the premises in such a manner that mice, rats, rodents, or animals do not inhabit the premises;
- (3) Preventing garbage, refuse, dirt, rocks or building materials from encroaching onto sidewalks, curbs, gutters, streets, public property, or private property without the written consent of the owner, except that dirt may be used for the bridging of sidewalks during construction. However, use of dirt for bridging curb and gutter shall not be allowed. (Ord. 12-07)

(4) Preventing the blowing of paper or other debris onto neighboring properties.

C In order to protect the function of the City's storm drainage system and ensure safety of the public, this Section shall be primarily enforced by the Syracuse City Building Department, with the assistance of the Police Department. When a violation occurs, a Building Department official may issue a stop work order on the construction project until the violation is corrected. Contractors, builders, or residents violating this section shall be guilty of a Class "B" misdemeanor. (Ord. 04-19) (Ord. 12-07)

**4-01-070. EXCAVATIONS.** It shall be unlawful for any person, except City personnel or those duly authorized by permit to excavate in any public right-of-way or remove any pavement or other materials forming any street or improvement thereof without first having obtained a permit therefore from the City. In order to obtain an excavation permit, an application shall be submitted to the Public Works Department , accompanied by an application fee in an amount established by the City fee schedule , stating the location of the proposed excavation, the nature and extent of the same, the purpose for which the excavation is necessary, the manner in which it is proposed to accomplish such excavating, the means to be employed to permit the unobstructed flow of traffic thereon, and the length of time the excavation will remain. The City shall issue, after determining that the proposed excavation is necessary and that the same will not unreasonably damage said public right-of-way, a permit to undertake and complete such excavation. (Ord. 12-07)

Prior to the issuance of a permit covering such excavation, the City shall require a bond issued by a licensed surety company of the State of Utah or a cashier's check made out in favor of Syracuse City in an amount sufficient to guarantee restoration of public infrastructure to its original condition. All persons or firms making such excavations must hold a valid license from the State of Utah and must maintain adequate public liability insurance. (R98-2) (Ord. 12-07)

No such excavation nor obstruction to any public right of way shall be made without notifying the City of Syracuse in advance of the time when it is proposed to begin such excavation. It shall be unlawful for any person to close any public right of way or to prevent the flow of traffic thereon without first obtaining permission therefore from the City of Syracuse. (Ord. 12-07)

All backfill shall meet standard specifications and all materials used shall be properly tamped or settled with a sufficient quantity of water to assure proper compaction. The contractor shall be required to test the compaction and submit such compaction report to the City. (Ord. 12-07)

It shall be unlawful for any person having made an excavation in any street, whether under a permit or otherwise to fail, neglect, or refuse for a period of five (5) days after notice, to restore said street to its normal condition. It shall be unlawful for any person, by or for whom any excavation is made in a public street or any purpose to fail to properly protect the work zone area so as to enclose such excavation, together with the dirt, gravel, or other material thrown therefrom, and to maintain such protection during the entire duration such excavation continues visible flasher lights shall be fixed to parts of such barricade, or in some other proper manner over or near the excavation, and over and near the dirt, gravel, or other material taken therefrom, and so kept from the beginning of twilight through the whole of every night during all the time such excavation exists. It shall be unlawful for any person to maliciously or wantonly, and without legal cause, to extinguish, remove, or diminish said lights or tear down or remove any rail, fence, or barricade fixed in accordance with the provisions of this Section. (Ord. 05-04) (Ord. 12-07)

**General Requirements.** Each permittee or excavator for permittee shall comply with the following requirements: (Ord. 12-07)

(A) Haul away and properly dispose of all materials removed from each single excavated area less than fifty feet (50') in length and twenty feet (20') in width. The trench or excavation shall be refilled with new crushed road base and compacted to ninety-six percent (96 %) and made ready for the asphalt finish surface. The trench or excavation shall be patched by the contractor in a thickness to match existing conditions or a minimum of four (4) inches of asphalt. (Ord. 12-07)

(B) Make proper provisions for protecting the public with necessary guards, barricades, lights, signals and with all other appurtenances necessary to safeguard the lives and property of the users of such roadway, sidewalk, and other facilities, before any excavation begins under this permit and at all times during the excavation. Visible flasher lights shall be used in hours of darkness. (Ord. 12-07)

(C) Be responsible for all liability or personal injury resulting from neglect; indemnify Syracuse City against all claims, demands, costs, damages, attorney fees or other expenses of any kind occasioned by such neglect; and upon request of the City, produce evidence of insurance adequate to cover such claims. (Ord. 12-07)

(D) Be responsible for restoring all public rights-of-way and Private improvements, including sidewalks, surfaces, curbs and gutters, driveways, ditches, sprinkler irrigation, and other landscaping, to their original condition, whether public or private, in a manner conforming to current Syracuse City specifications. (Ord. 12-07)

(E) Keep excavations to a minimum regardless of the age or condition of the pavement, and, wherever possible, locate excavations so that one "common" patch can cover as many excavations as possible. (Ord. 12-07)

(F) Restore roads to a passable and safe condition within sixteen (16) hours of commencing excavation. All remaining repairs and restoration shall take place within ten (10) calendar days from the date of the first excavation. All debris generated as a result of said excavation shall be removed immediately from the area upon completion of the excavation. If, within the standard ten (10) days, or other time period authorized by the City Engineer, the road cut or excavation has not been repaired as required, Syracuse City may place claim on the excavation bond to cover expenses necessary to complete the necessary repairs. The costs of repair shall include administrative costs. The permittee or excavator for the permittee shall be responsible for trench maintenance for one (1) year after the date it was inspected and approved by the Public Works Department. If repair of the road cut or trench is necessary within the initial one-year period, the permittee shall make repairs to the satisfaction of the City Engineer or, in the alternative, the City may place claim on the excavation bond and cause the repairs to be made. (Ord. 12-07)

(G) Limit the trench length left at grade but unpaved to a maximum of one thousand (1000') feet. No excavation shall be allowed to continue until the one thousand (1000') feet of trench has been restored with proper asphalt surface and inspected and accepted by the City. (Ord. 12-07)

(H) Place flowable fill in all excavations of twelve (12) inches or less in width, prior to the application of an asphalt finished surface. (Ord. 12-07)

(I) Compact all backfilled excavations to ninety-six percent (96%). The contractor shall submit tests to the City confirming the compaction. (Ord. 12-07)

(J) Protect bore pits. Bore pits adjacent to or which may be hazardous to traffic shall not be left open or unshielded overnight. Shielding in conformance with the Manual on Uniform Traffic Control Devices shall be allowed in the case of large pits or extensive bore and jack operations. Contractors shall complete small bores under two lane roadways in one continuous operation. (Ord. 12-07)

(K) Utilize common trenching in all subdivisions, unless otherwise approved or excepted by the City Engineer. (Ord. 12-07)

(L) Bore all utility excavations whenever possible. (Ord. 12-07)

**4-01-080. DEFERRAL OF CONSTRUCTION.** The City Engineer may, in the Engineer's reasonable discretion, and subject to the provisions of any approved Franchise Ordinance or Agreement of the City, defer construction or other activity under any permit provided for in this chapter, until such time as the Engineer deems it proper in all cases where the public place on which the work is desired to be done is occupied or about to be occupied in any work by the City, or by some other person having a right to use the same in such manner as to render it seriously inconvenient to the public to permit any further

obstruction thereof at such time, and in granting such permit, may so regulate the manner of doing such work in order to cause the least inconvenience to the public in the use of such public place; and in all cases any work of the City or its contractors or employees for municipal purposes shall have precedence over all work of every other kind. (Ord. 12-07)

- 4-01-090. TEMPORARY RESTORATION.** Anyone issued a permit for excavation or other activity under this chapter shall temporarily restore any disturbed public right of way or other public place to a condition approved by the City Engineer, within seven (7) days after completion of the work for which the permit was issued. This requirement of temporary restoration may be waived by the City Engineer upon a determination that after consideration of the potential for settlement of the excavated area there is not a significant risk of settlement. (Ord. 12-07)
- 4-01-100. PERMANENT RESTORATION.** Excavator shall complete permanent repairs of the temporary restoration within one (1) year after completion of the work for which the permit was issued. If the excavator fails to complete the permanent restoration within this time period and in a manner approved by the City Engineer, the City may perform the restoration and bill the permittee for the repair. All permanent repairs shall be bonded for at the time of the issuance of a permit. Upon failure to complete applicable permanent restoration and receiving notice from the City, the City shall place claim to said bond for reimbursement of incurred expenses to complete the restoration. The permittee may, at the time the permit is issued, contract with the City for the completion of the permanent restoration. (Ord. 12-07)
- 4-01-110. ANNUAL MEETING AND DISCLOSURE.** Beginning November 2000, and by the first week of January of each succeeding year, the City Engineer shall provide to all utilities, a list of street and other improvements planned for the following three successive years. All agencies, utilities, franchises, and other entities planning work in a public right of way or other public place that will require a permit under this Chapter shall submit a list of proposed projects and locations to the City Engineer by December 31<sup>st</sup> of each year. This list shall cover the planned projects for the following three years. These lists of planned projects shall be entered in to the City's Geographic Information System and integrated with other information on street condition and use. For the purpose of this subsection, the term "planned projects" does not include new construction that could not have reasonably been foreseen at the beginning of the year. The City Engineer may deny entities or agencies that fail to provide this information, permits for construction or other activity under this chapter unless the entity was not provided a list of planned street improvements by the City for that year. The City may hold an annual meeting for the purpose of providing and explaining such list. (Ord. 12-07)
- 4-01-120. RESTORATION OF ASPHALT CUTS.** For any asphalt surface three (3) years old or less, excavator shall provide new asphalt for the length of the cut and the width of all lanes affected by the construction or other activity. For any asphalt surface where thirty percent (30%) or more of the width of any lane is affected by the construction or other activity, excavator shall provide new asphalt for the length of the cut and the width of all lanes affected. For all other asphalt surfaces, excavator shall provide new asphalt for the length and width of the affected area as required in this Chapter. The City Engineer may require that the surface of the street receiving new asphalt be rotomilled prior to resurfacing. (Ord. 12-07)
- 4-01-130. EXCAVATION THROUGH INTERSECTION REQUIRES DRY LINES.** Every person seeking a permit to excavate in or through an intersection shall be required to place conduit in the open trench for the purpose of allowing placement of future utilities without disruption to the surface of the right-of-way. (Ord. 12-07)

**4-01-140.      **LATERALS.**** The City shall notify all abutting property owners along the affected portion of a street proposed for opening by the City, and a permittee shall notify all property owners as determined by the last tax assessment rolls, of the intent to open the street and shall provide to each owner, an opportunity to place, at the owners expense, laterals for the utilities to their property, prior to closing the trench. No excavation for laterals shall be allowed for a period of three (3) years after construction or reconstruction of a street, where such notice was given and the property owner declined to install the lateral.

The City Engineer may waive this barrier to entering a street if the required notice was not sent or if the engineer determines that the excavation is necessary to provide an essential service that cannot be provided, except by cutting the street. The permittee shall pay a fee equal to the estimated damage to the useful life of the street and any associated repairs and shall repave that portion of the street necessary to restore it, as close as possible, to its original condition, as determined by the City Engineer. (Ord. 12-07)

**4-01-150.      **RESTORATION OF PUBLIC PROPERTY.**** Permittee or excavator for permittee shall:

- (A) Restore the surface of any Public way to its original condition at the permittee's own expense and shall replace any removed or damaged pavement with the same type and depth of pavement of that which is adjoining, thickness not to be less than four (4) inches including the gravel base material not to be less than eleven (11) inches. All restoration shall conform to the engineering regulations; design standards and specifications promulgated by the City and shall be accomplished within the time limits set forth in this Chapter, unless additional time is granted in writing by the Public Works Department. In the event of any conflict between City Standards and Specifications and the Ordinance, the Standards and Specifications shall be controlling. (Ord. 12-07)
- (B) Be responsible for any necessary repair of a temporary restoration of a public right-of-way or other public place until the permanent restoration is completed. Permittees or excavators shall be responsible for any necessary repair of a permanent restoration until the public right-of-way or other public place has been repaved, reconstructed, or until five (5) years after the completion of a permanent restoration, whichever occurs sooner, unless the permittee contracted with the City for permanent restoration. If the permittee fails to complete any necessary repair of a filled temporary restoration within three (3) calendar days or a permanent restoration within thirty (30) calendar days of being notified to do so by the City, the City may complete the repair and bill the permittee for the costs of such repair. (Ord. 12-07)
- (C) Request, if they so choose that the City restore the surface to its original condition. The fee for such resurfacing shall be determined by the City Engineer in accordance with its reasonable costs for such excavation and shall the permittee for the amount. Payment for said excavation shall be received by the City prior to the release or expiration of the bond, whichever occurs sooner. (Ord. 12-07)

**4-1-160.      **PROHIBITED ACTS.**** It shall be unlawful for any person to destroy, deface, or in any manner injure any public street or sidewalk.

It shall be unlawful for any person intentionally or carelessly to throw, cast, or put into, drop, or leave in any street, gutter, sidewalk, or public place any stones, gravel, sand,

coal, dirt, manure, garbage, leaves, lawn or hedge clippings, rubbish of any kind, snow, or any other substance. (1971) (Ord. 12-07)

4-1-170

Appeals. Any person aggrieved of the denial or revocation of a permit under this Title may appeal such decision to the City Council by filing written notice of appeal within fifteen (15) days from the date of the decision. (Ord. 12-07)

**CHAPTER 2:**  
**SEWER REGULATIONS**

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- 4-02-110. Authorization Necessary to Reconnect.**
- 4-02-120. Authorized Representative to Have Free Access.**

**4-02-010. North Davis County Sewer District.**

The corporate limits of Syracuse City are within the area of the North Davis County Sewer District (the "District"), which is organized under Utah law. All ordinances, rules and regulations of the District are hereby adopted and incorporated herein by reference.

**4-02-020. When Owner Required to Connect to Sewer.**

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, commercial, industrial or other like purposes, situated within the corporate limits of the City and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer owned and operated by the City or owned or operated by the District, is hereby required, at his expense, to install suitable facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Chapter, within ninety (90) days after date that said public sewer is available for use, provided that said public sewer line is within three hundred feet (300') of any such building discharging sanitary or industrial waste.

**4-02-030. Permit Required.**

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof for any reason without first obtaining a written permit from the District or the owner of such sewer facilities.

**4-02-040. Independent Service Lines Necessary.**

A separate and independent service lateral shall be provided for every building. The City Engineer may consider exceptions in cases such as, where one building stands at the rear of another or on an interior lot and no Public sewer is available or can be constructed to the rear building other than routing a pipe through an adjoining alley, court, yard, or driveway. In this case, the service lateral from the front building may be extended to the rear building and the whole considered as one service lateral. (Ord. 12-07)

**4-02-050. Discharging Excessive Water into Sewer.**

It shall be unlawful for any person to discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, or subsurface drainage into any sanitary sewer. Such storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet consisting of water courses, ponds, ditches, lakes, or other bodies of surface or ground water provided for receiving the same.

**4-02-060. Subdivision and Other Developments.**

No subdivision plat, industrial park, or commercial development shall be approved or recommended by the City Planning Commission, nor shall a building permit or certificate of occupancy be issued for any lot or part thereof or for the whole thereof, unless the City shall have first received a signed document from the District approving the sewer aspects of the proposed development.

**4-02-070. Damage.**

No person shall intentionally or negligently cause any damage to the sewer system. Repairs necessary for any damage caused shall become the responsibility of the person causing the damage. (Ord. 12-07)

**4-02-080. Manholes.**

No person shall open a manhole of the sewer system without first receiving authorization to do so from the City.

**4-02-090. Pretreatment and Discharge Permit Requirements.**

- A. Those persons required to pretreat wastewater in order to comply with Federal pretreatment standards and/or District wastewater control rules and regulations and any permits issued thereunder shall provide, operate, and maintain the necessary pretreatment facilities in accordance with the District pretreatment regulations.
- B. Industrial users required to apply for a discharge permit pursuant to the District wastewater control rules and regulations shall obtain such permit prior to discharging into the sewer system. Applications shall be in the form prescribed by the District Board.

**4-02-100. Wastewater Discharge Prohibitions and Limitations.**

- A. Generally. No person shall discharge into the sewer system any substance or in a manner which, under ordinary circumstances, either (1) is harmful or detrimental to or interferes with either the sewer system, the functioning of the sewer system, the environment, or the public health, or (2) causes sewage to pass through the sewer system without treatment and thereby creating a significant health hazard or diminishing the quality of the environment.
- B. Discharge Prohibitions. No person shall discharge into the sewer system any substance or discharge into the system in a manner which violates the wastewater discharge prohibitions and limitations contained within the District wastewater control rules and regulations currently in force and as amended from time to time, which are incorporated by this reference as a part hereof as though fully set forth herein, together with any schedules or appendices which are a part of the District wastewater control rules and regulations.

- C. Immediate Reporting. Immediately upon discharging a prohibited substance or upon discovering that a prohibited substance has been discharged, the person performing or discovering such discharge shall immediately notify the staff of the District of the discharge by the most rapid available means, if such person knows or reasonably should have known that (1) the substance was discharged, and (2) the discharge of the substance was prohibited. Notification pursuant to this Subsection does not relieve the person notifying of any liability, except liability for violation of this Subsection.
- D. Preventing Accidental Discharge.
1. Generally. Every person conducting an activity which creates a substantial risk that a prohibited substance will be discharged into the sewer system shall provide adequate protection against accidental discharge of such a prohibited substance by either (1) implementing procedures or practices which tend to reduce the likelihood of such a discharge and/or (2) installing facilities designed to prevent such accidental discharge. The District General Manager may identify persons required to provide such protection and direct them to comply with this Subsection.
  2. City/ District Requirements. The City Public Works Director and/or the District General Manager are hereby authorized to specify particular procedures, practices, and/or facilities which shall be implemented by any person, (1) if the District General Manager finds that there is substantial risk of a discharge prohibited by this Section if preventive measures are not undertaken, and (2) if such procedures, practices and/or facilities substantially reduce the risk of discharge prohibited by this Section, and (3) if the cost of implementing such procedures, practices, and/or installing such facilities is found by the City Council and/or District Board to be reasonable in light of both the potential damage to the sewer system and/or the environment if an accidental discharge occurs, and the effectiveness of the equipment in preventing such an accidental discharge.
  3. Plans. In every case where facilities are required to be installed pursuant to this Subsection, the Public Works Director and/or District General Manager are hereby authorized to require submission of detailed plans for the required facilities and their operation before construction of the facilities is begun.
- E. Preventive Requirements.
1. Report. Within five (5) days after the discharge of a prohibited substance, the person who discharged such substance shall file with the City a written report describing (1) the nature and content of the discharge, (2) the cause(s) of the discharge, and (3) remedial measures to be taken by the discharger to prevent similar discharges in the future. The City Public Works Director or his designee may inspect the site of the accidental discharge and interview any person involved in the discharge in order to ascertain or confirm what happened and assure that remedial measures adequate to prevent future accidents are carried out as represented.
  2. Authorization to Require Changes. If (1) a person has discharged a prohibited substance, and (2) it is likely that the same person will again discharge a similar prohibited substance in the future if preventive measures are not undertaken, then the Public Works Director is hereby authorized to require the person who discharged the prohibited substance to make change(s) in equipment, facilities, procedures, or practices, which change(s) (1) have the effect of substantially reducing the risk of a similar discharge in the future, and (2) are found by the Public Works Director to be reasonable in cost in light of the potential damage to the system and environment arising out of a similar prohibited discharge in the future. Nothing in this Subsection relieves any person of any liability, except liability for violation of this Subsection.
- F. Self-Monitoring and Reporting. The Public Works Director is hereby authorized to

require that persons discharging into the sewer system, other than persons discharging only ordinary domestic sewage, monitor and report their sewage discharges in a manner and to the extent necessary to: (1) provide adequate compliance with and enforcement of the District's wastewater control rules and regulations; (2) assess the source of the components of the sewage transmitted by the City and treated and disposed of by the District; and (3) charge reasonable fees and surcharges to dischargers based on actual discharges or reasonable classifications of discharges. The Public Works Director is further hereby authorized to require that such monitoring and reporting be performed at the expense of the person discharging. Every person required to monitor and report pursuant to this Section shall monitor and report as required by the District wastewater control rules and regulations and in conformity with this Section.

- G. Compliance Monitoring. The District Pretreatment Administrator is hereby authorized to sample and analyze the sewage of, and inspect the facilities of persons discharging into the sewer system in order to determine or verify compliance with this Section. The City Council is further authorized to require the installation of reasonable facilities, such as manholes, to enable such sampling. However, nothing in this Section limits any power that the City or District may have to investigate or enforce compliance with other sections of this Ordinance or through means not specified in this Subsection.
- H. Strict Liability. Any person violating any provision of this Section shall be guilty without regard to fault, knowledge, intent, or the state of mind of the person committing the violation.
- I. Nuisance. Any condition or situation which causes a violation of this Section is hereby declared to be a public nuisance and may be abated as provided by law.

**4-02-110. Authorization Necessary to Reconnect.**

It shall be unlawful for any person, after sewer service to any premises has been discontinued or disconnected for any reason whatsoever, to reconnect or resume such service or for the owner or occupant of such premises to allow the same to be reconnected or resumed without being authorized by the City.

**4-02-120. Authorized Representative to Have Free Access.**

Free access shall, at all ordinary hours, be allowed to authorized representatives of the City and/or the District or other owner of such sanitary sewer to inspect and examine such facilities, including service laterals connected to the building, to inspect the plumbing and facilities therein and the manner of use of such sewer facilities, and to determine compliance with the rules and regulations of the City and/or the District or other owner of such sanitary sewer facilities.

## CHAPTER 3

### WATER

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**4-03-010. Purpose and Title.**

The purpose of this Chapter is to establish and provide requirements, regulations and procedures for the governing and administration of the Syracuse City Water System. This Chapter shall be known as and may be referred to as the Syracuse City Water System Ordinance.

**4-03-020. Public Works Department.**

The Public Works Department shall have authority to operate and maintain the Syracuse City Water System, hereinafter referred to as the "water system," and to furnish water service to the residents of the City in accordance with the provisions of this Title. To accomplish these purposes, the Public Works Department is empowered to employ persons, purchase and approve real property, acquire equipment and perform all other acts necessary or incidental to the accomplishing of the above- described purposes, subject to all applicable ordinances, resolutions, rules, regulations and policies of the City.

**4-03-030. Water Superintendent.**

The Water Superintendent shall administer and enforce this Chapter under the direction of the Public Works Director and the City Manager and shall manage the City's water system pursuant to the provisions of this Chapter and all other applicable ordinances, rules, regulations and policies of the City. The Water Superintendent shall have such other duties and responsibilities as designated by the City Council. (Ord. 12-07)

**4-03-040. Water System.**

The water system constructed or otherwise acquired by the City to supply water is the property of the City and shall be under the sole and exclusive control and jurisdiction of the City. The City may enter into contracts with other governmental entities and/or wholesale water delivery providers for the purchase of water and may acquire water rights, water shares, etc., as it deems appropriate or desirable for the City's water system.

**4-03-050. Rules and Regulations.**

The City Council may from time to time by resolution establish rules and regulations regarding the establishment, installation, operation, control and modification of the City water system in accordance with the provisions of this Chapter.

**4-03-060. Duty to Maintain.**

The Public Works Department shall keep the water system in good repair. Any leaks, breaks or equipment failures of the City water system shall be promptly repaired in accordance with the provisions of this Chapter.

**4-03-070. Authority to Shut Off.**

The Public Works Department shall have the power and authority to temporarily discontinue water service to any area without notice, for the purpose of repairing and maintaining the water system.

**4-03-080. Duty to Treat.**

The Public Works Department shall treat or cause to be treated the water furnished to the water users hereunder using current water treatment methods such that the water shall conform to State and Federal standards of purity and fitness for culinary use.

**4-03-090. Access for Water Superintendent.**

As a condition of a person receiving water service from the City, the Water Superintendent and his or her authorized agents shall, at all reasonable hours and/or upon such notice as is reasonable under the circumstances, have free access to any place supplied with water service from the City's water system for the purpose of examining the apparatus, the amounts of water used, the manner of use, and to make any and all necessary adjustments to said systems or shut off for vacancy, delinquency or violation of applicable ordinances, rules or regulations of the City.

**4-03-100. Liability.**

Except as otherwise provided in the Utah Governmental Immunity Act, set forth in *Utah Code Ann.* §§ 63G-7, *et seq.*, as amended, the City shall not be liable or responsible for any loss, damage, or injury, direct or indirect, to a water user, the user's family, guests, tenants, invitees, or any person, or the real or personal property of any person arising out of or caused by the City water system, or by the cessation or interruption of City water supply. (Ord. 12-07)

**4-03-110. Application for Connection and/or Service.**

The record owner of property desiring to connect to and to receive service from the City water system shall submit an application for water connection and/or service to such property in writing to the City in such form as provided by the City. If the property is not already connected to the City water system through an approved service lateral or if an extension of the water main is required for service, the provisions of this Chapter regarding the installation of service laterals and extensions shall be followed.

**4-03-120. Water Service Authorized.**

Water service may be furnished or restored to premises if the person requesting such service substantially complies with the following provisions.

- A. Application. The property owner of the premises fills out, signs and files with the City an application for water service as provided in Section 9-01-110.
- B. Deposit. The applicant pays a deposit in the amount set forth by resolution in the City Consolidated Fee Schedule.
- C. Fees. The applicant shall pay the cost of a water meter as set forth in the Consolidated Fee Schedule. In the event the property owner is required to install a service lateral or extend the water system prior to connection, the applicant shall be required to make all installments and connections at applicant's cost.
- D. Current Charges. Before water will be turned on to any premises, all charges due and owing to the City by the applicant(s) for water must be paid.

**4-03-130. Obligation of Owner.**

The record owner of property to be served by the City water system must appear as the applicant for water connection and service and shall be held responsible to the City for payment of all water service fees and charges incurred by that connection. Owners of property that rent, lease or otherwise give the said property over to the tenancy of

another, shall remain liable for the water services furnished to the property, including all fees and charges incurred by a renter or lessee or other occupant of the owner's premises. It shall be the duty of the property owner to notify the City of termination or change in ownership of the property.

**4-03-140. Misrepresentation.**

It shall be unlawful to misrepresent a material fact in applying for water connection and service. Material facts include, but shall not be limited to, the identity of the applicant as the owner or tenant of the property to be connected and the purpose for which the water service to be provided will be used.

**4-03-150. Applications Non-Transferable.**

Water service and connections shall not be transferred to a location different from that shown on the application for water service nor from where originally used, nor may a larger water connection be subdivided into several smaller connections.

**4-03-160. Fees.**

The City Council shall, by resolution, set forth in the Consolidated Fee Schedule the fees to be charged for the base rate water service charge, service charges other than the base rate, water meter fee, impact fees, fee for use of water from fire hydrants, water service deposits, and all other appropriate fees required herein. Rates for services furnished shall be uniform with respect to each class or classes of service established by the City or that may hereinafter be established.

**4-03-170. Special Rates.**

The City Council may from time to time fix by agreement or resolution, special rates and conditions for users using exceptionally large amounts of water service or making use of the water system under exceptional circumstances, upon such terms and conditions as it deems appropriate.

**4-03-180. Billing.**

The City shall provide a statement to each user of water once each month or at such other regular intervals as the City Council shall direct. The City Council shall determine the duration of the billing period and may change the amounts of the charges or the duration of the billing period from time to time. The City may send a combined statement for water, sewer, garbage collection and other services provided by the City, which statement shall separately specify the amount of the bill for the water service, sewer service, garbage collection and any other service, the place of payment, and the due date. All bills shall be paid in full and no partial payments shall be sufficient, absent the written consent of the Utility Billing Clerk to prevent the termination of services as provided herein. (Ord. 12-07)

**4-03-190. Delinquent Payments.**

If any user fails to pay his or her water, sewer, garbage or other service charge for services provided by the City within thirty (30) days from the date the payment is due, the Utility Billing Clerk shall notify the Public Works Department of the deficiency and the Public Works Department may thereafter shut off all water service to said premises in the manner set forth in this Chapter. Where amounts are due for more than one billing period, any payment received shall be applied toward the most recent billing for which an amount is due. A dishonored check shall not be considered payment received.

**4-03-200. Notice of Shut Off.**

If any user fails to pay his or her water, sewer, garbage or other service charge for services provided by the City within thirty (30) days from the date the payment is due, the Utility Billing Clerk shall notify in writing the occupant of the premises and the owner thereof by personal delivery or mail, to the premises and any other address that appears on the application of the delinquency and that the water service will be discontinued if payment is not received within ten (10) days after notice is sent.

**4-03-210. Shut Off.**

If any user fails to pay his or her water, sewer, garbage or other service charge for services provided by the City within the required time frame after service of a notice of shut off, the Utility Billing Clerk shall cause a notice to be served personally to the property owner or occupants explaining the reason for the shut off and that the water service may thereafter be shut off if payment is not made within three (3) days from the date of such notice. If the delinquent payments are not made within three (3) days from the date of such notice, and no stay has been issued in accordance with the provisions of this Chapter, the City may shut off water service to the premises. Before water service to the premises may be turned on again, all delinquent water, garbage and other charges for services provided by the City must be paid, together with the appropriate shut off charge as provided in the City Consolidated Fee Schedule.

**4-03-220. Stay of Shut Off.**

The Utility Billing Clerk may extend the time for bringing current a delinquent account for up to fifteen (15) days. In addition, the user may file a written request for review of the billing with the City Manager. Such request for review shall set forth the customer's good reason to believe an error has occurred in the billing, which error has resulted in a billing amount in excess of service actually rendered, and setting forth the facts and arguments in favor of the customer's position. Any appeal of a bill as set forth herein, shall stay any action by the City to shut off water service for fifteen (15) days or until a determination has been made by the City Manager, whichever occurs first. Written notice of the decision and the action to be taken shall be provided to the customer.

**4-03-230. Legal Action.**

The City Recorder or Treasurer, is hereby authorized and empowered to enforce the payment of all delinquent City service charges and connection fees whether for water, sewer, garbage or other services, by an action at law in the corporate name of the City.

**4-03-240. Voluntary Discontinuance.**

Any user desiring to discontinue service shall notify the Utility Billing Clerk in writing at least ten (10) days before the date when such service is to be discontinued. Any credit balance in favor of the user as a result of deposit will be refunded promptly after receipt of notice of discontinuance of service.

**4-03-250. Service Lateral Installation.**

The property owner, or his or her agent, desiring to obtain water service, shall be responsible at his or her sole expense for installing a service lateral to the curb or property boundary line of his or her property which meets the following requirements.

- A. The service lateral shall be made of such material and quality specified in the City's construction codes and standards.
- B. The service lateral installation shall include all pipe mechanisms, meter boxes, valves and other equipment, except meters and other equipment to be installed by the City, required for proper service as designated by the City construction codes and standards and the provisions of this Chapter.
- C. The service lateral shall be buried at a depth and grade specified in the City

- construction codes and standards.
- D. The service lateral shall be located and installed the required distance from other service pipes in accordance with City construction codes and standards.
  - E. The service lateral shall not run across property owned in fee by a person other than the property owner who is applying for connection, unless written permission is obtained from the City and a satisfactory easement is obtained from the affected property owner.
  - F. The service lateral shall supply water to no more than one building, except that where permission is obtained by the property owner from the City and as approved by City Engineer. Connection of more than one building may be made to such a service lateral, if the property owner applying for the connection is the owner of all buildings connected to said service lateral. For the purpose of payment of fees required under the provisions of this Chapter, each building which receives water service through a common service lateral shall be deemed to receive water service through a separate service lateral and the property owner shall be required to pay appropriate charges for each building receiving water service. (Ord. 12-07)
  - G. The service lateral to be connected to the City water system shall be inspected by an inspector of the City Public Works Department and found to conform to the provisions of this Chapter, the Plumbing Code as amended and adopted by the City, and all other applicable construction standards, ordinances, rules and regulations, prior to backfilling. It shall be the property owner's responsibility to ensure that the service lateral and all other underground water lines or connections to be inspected are open and visible to the inspector at the time of the inspection.
  - H. No service lateral shall be connected to the City water system until all requirements of this Section are complied with and the lateral has been inspected and approved by the City.

**4-03-260. Service Lateral Maintenance.**

Subject to the provisions of this Chapter, water service users shall keep their service laterals and connections and other apparatus in good repair and protected from frost at their own expense. Each property owner shall own and shall bear the sole responsibility for repair, upkeep and maintenance of the service lateral from the property side of the water meter to the premises being served. The City shall not accept nor bear any responsibility for any leaks, or damages caused by leakage, in the service lateral. Without incurring any liability to the property owner, the City may make emergency repairs to service laterals in order to mitigate damage, prevent waste of water, and prevent contamination of the water supply. Any such repairs shall be at the property owner's expense and shall be billed to the property owner by the City.

**4-03-270. Service Lateral Replacement.**

The replacement of a previously used service lateral shall be deemed a connection and the provisions for installation and connection of a new service lateral shall apply to said replacement.

**4-03-280. Service Lateral Repair or Alteration.**

It shall be unlawful for any person to open, alter, repair, or connect to any existing service lateral without first having received a permit therefore from the Public Works Department. Except as otherwise provided herein, no permit shall authorize the alteration of or connection to a service lateral which results in the availability of water service to a building to which such service was not furnished before the alteration or connection is made.

**4-03-290. Service Lateral Location.**

The City assumes no responsibility for nor shall it warrant or guarantee the specific location of water service laterals as shown on as-built drawings furnished by developers and/or contractors. Persons applying for building permits may inspect the as-built drawings by developers and/or contractors if they desire to do so in connection with locating service laterals, however, the City will not take responsibility for the accuracy of such documents. Persons desiring to obtain such information from the City shall be required to sign an appropriate disclaimer.

**4-03-300. Extension of Water System Within the City.**

- A. Application. Whenever any person, firm or corporation subdivides, develops or builds upon any property within the City which requires the installation or extension of a water main from an existing main, the person, firm or corporation seeking approval of the subdivision or development of the property shall submit an application for extension of and service from the City water system for the development. The application shall set forth the distance and location of the proposed extension, a map of the extension, the size, location and number of connections that applicant will require, and the intended use; i.e. residential, multi-family, commercial and/or industrial.
- B. Review. The application shall be submitted to the City by the developer with the preliminary plat or site plan review for the development and shall be reviewed by the City Engineer. Upon a finding by the City that the City has available water rights, water source capacity, and water distribution and storage facility capacity to serve the proposed development with a year round supply of water, the application may be accepted.
- C. Agreement. Upon acceptance of the application for extension and water service, the developer shall enter into a written extension agreement with the City specifying the terms and conditions under which the water extensions and connections shall be made to the City water system and the payments that shall be required.
- D. Expense. The developer shall be required, at his or her own expense, to make, construct, and lay such extension from the existing main to the proposed subdivision, development or building. Developer shall construct at its sole expense, the internal or on-site water distribution system required to serve the individual consumers within developer's subdivision or development, including all booster pumps, on-site storage, and other appurtenant facilities as well as any off-site reservoir required for the development. All improvements shall be constructed in accordance with the City's specifications. Service and connection to the City water system shall not be permitted until such improvements are inspected, approved and accepted by the City.
- E. Easements. Where possible, provisions shall be made for the construction of all line extensions and distribution lines within public streets and easements. Where lines must cross private property, developer shall obtain at developer's sole expense, all required and necessary easements in satisfactory and recordable form.
- F. Dedication. Upon compliance with all conditions and requirements set forth herein, developer shall convey to the City, free and clear of all liens and encumbrances, except for those specifically agreed to in writing by the City, and by conveyancing instrument acceptable to the City, the following:
  - 1. Any extension of the City's main transmission system constructed by developer and donated to the City as provided herein, together with all necessary pipeline easements and rights-of-way for the operation, maintenance, repair and replacement of the same.
  - 2. The internal subdivision distribution system and all appurtenant facilities specifically including but not limited to all distribution lines, pumps, storage facilities, booster pumps, and any required treatment facilities, together with all appurtenant easements and rights-of-way for the operation, maintenance, repair and replacement of the same.

- G. Reimbursement. Where any person, firm or corporation subdivides or develops property subject to these provisions and is required to make expenditures which in the opinion of the City Council should not be borne wholly and solely by such developer because other subsequent developments will benefit directly therefrom, the City Council may enter into an agreement with the developer for reimbursement on a proportionate basis for his or her actual costs as subsequent users connect to the main extension. As a condition of such reimbursement and prior to final approval and acceptance of the main extension by the City, the developer shall submit to the City a verified list of costs which shall form the basis of the reimbursement agreement taking into consideration the benefit of the line to the developer.

**4-03-310. Extension of Water System Outside the City.**

The City may furnish water service from its water system to persons outside the City in accordance with the provisions of this Section provided that such water service is available and will in no way deprive the residents of Syracuse City of water consumption. Nothing contained herein shall be construed to obligate the City to extend its system to provide water service to persons outside the boundaries of the City.

- A. Petition. Any person or persons located outside the City limits who desires to be supplied with water service from the City water system may make application to the City Council for such extension and service by petition. The petition shall set forth the distance and location of the proposed extension, a map of the extension, the size, location and number of connections that petitioner will require, and the intended use. Petitioner shall be required to pay in advance the entire cost of extending the City water system to provide such service. In addition to the requirements set forth in this Section, the petition shall contain a certified acknowledgment that the petitioner understands that the City in granting the petition need only supply such water to the petitioner from time to time as shall be deemed by the City Council to be available beyond the requirements of water use within the City limits and that such extension shall be the property of and subject to the control of the City.
- B. Review. The City shall review the petition, including review by the Public Works Department, City Engineer and City Attorney. The Public Works Department shall determine what portion, if any, of the extension of the City's water mains to the City limits the City shall construct, and shall prepare a verified statement showing the whole cost and expense of making such an extension. Such costs and expenses shall include administrative and supervisory expenditures of the City, which shall in no event be deemed to be less than ten percent (10%) of the cost of materials and labor. Upon a finding by the City that the City has available water rights, water source capacity, and water distribution and storage facility capacity to serve the proposed development the application may be accepted.
- C. Agreement. If the City grants the petition or any portion thereof, the petitioner and the City shall enter into an acceptable written water system extension agreement, which agreement shall be executed prior to the commencement of any work upon said extension.
- D. Dedication. Upon compliance with all conditions and requirements set forth herein, petitioner shall convey to the City, free and clear of all liens and encumbrances, except for those specifically agreed to in writing by the City, and by conveyancing instrument acceptable to the City, the following:
1. Any extension of the City's main transmission system constructed by petitioner and donated to the City as provided herein, together with all necessary pipeline easements and rights-of-way for the operation, maintenance, repair and replacement of the same.
  2. The internal subdivision distribution system and all appurtenant facilities specifically including but not limited to all distribution lines, pumps, storage facilities, booster pumps, and any required treatment facilities, together with

all appurtenant easements and rights-of-way for the operation, maintenance, repair and replacement of the same.

- E. Reimbursement. The City shall have the right to allow third parties to connect to any water line or facilities constructed pursuant to this Section in which case the City may enter into an agreement providing partial reimbursement to the developer. As a condition of such reimbursement, the petitioner shall, prior to final approval and acceptance of the main extension by the City, submit to the City a verified list of costs which shall form the basis of the reimbursement agreement taking into consideration the benefit of the line to the petitioner.

**4-03-320. Meter Installation and Maintenance.**

It shall be unlawful for any person who is not authorized by the Public Works Department to open or connect into any City water main. Any person desiring to open or connect into the City water system shall obtain the appropriate permits required herein and all work performed under such permit shall be inspected by the City. Any person connecting to the water system shall install a connection pipe of suitable quality under the street and a meter box, meter, and stopcock at a location determined by the Public Works Department. Said connection pipe, meter box, meter and stopcock are and shall remain the property of the City, which retains the sole right to maintain, repair, and service said facilities. The City shall own and maintain the shutoff valve, the water meter and its appurtenances, regardless of whether the water meter was installed at the street or inside the structure receiving service.

**4-03-330. Meter Required.**

All water delivered by the City to its customers shall be metered through water meters owned and approved by the City. It shall be unlawful for any person, firm or corporation to use or have in their possession any water from the City water system that has not first been passed through and the quantity thereof measured by a City water meter.

**4-03-340. Meter Accuracy.**

Any user may submit a request for a test of his or her water meter. The Water Superintendent may, if under the circumstances it is deemed advisable, order a test of the requested meter measuring the water delivered to the user. If such request to test the meter is made within twelve (12) months after the date of the last previous test, the user may be required to pay the costs of such test if the meter is found to record from 97% to 103% of accuracy under methods of testing that are satisfactory to the Water Superintendent. In the event a meter is found to be recording less than 97% or more than 103% of accuracy, the City shall make such adjustments in the user's previous bill as are just and fair under the circumstances. If a meter fails to register at any time, the water delivered during such period shall be estimated on the basis of previous consumption. To the extent possible, the period of time used to assess previous consumption shall be a seasonally similar time period.

**4-03-350. Meter Tampering.**

Meters may be checked, opened, inspected or adjusted at the discretion of the City by City personnel. It shall be unlawful for any person other than authorized agents of the City to adjust, open, manipulate, disconnect or tamper with City water meters in any manner. A user shall prevent any damage to the water meter used by such user and shall be responsible for the cost of repairing any damage to the water meter other than normal wear and tear.

**4-03-360. Illegal Use of Water Pressure.**

The water provided through any connection to the City water system shall not be used for the purpose of driving any motor, siphon, turbine, or other wheels, or any hydraulic engines, or elevators, or for driving or propelling machinery of any kind whatsoever.

**4-03-370. Unauthorized Service.**

It shall be unlawful for any person to provide oneself or others with, or to make use of water service from the City water system without prior authorization from the City and payment therefore as herein provided. It is unlawful for any person to restore discontinued water service by self-help or other means without authorization by the City. Regularly applicable charges shall be assessed for unauthorized water service and may be collected as provided in this Chapter.

**4-03-380. Unauthorized Connection.**

It shall be unlawful for any person, directly or indirectly, to connect to, disconnect, repair or alter the City water system or any part thereof, including, but not limited to, any water line or water meter, without prior authority obtained from the City in accordance with the provisions of this Chapter. It shall be unlawful for any person, directly or indirectly, to open any fire hydrant, stopcock, valve, or other fixtures attached to the City water system without prior authority obtained from the City in accordance with the provisions of this Chapter.

**4-03-390. Damage to Water System.**

- A. Prohibited. It shall be unlawful for any person to destroy, deface, damage or interfere with the operation of any part, pipe, fixture, appliance, appurtenance or property of the City water system or any source of water supplying to said system, to interfere with the flow or control of distribution of the water system, or to pollute, contaminate or introduce into such system any substance poisonous to human life or harmful to human health or detrimentally affecting the taste, smell, color, odor, or other aesthetic characteristic of the City water system.
- B. Restitution. All damages or injury to the water, lines, meters or other equipment of the City water system caused by any act or neglect of the user or his or her agents or any violation of this Chapter shall, in the discretion of the City, be repaired by or at the expense of the user, and the user shall pay all costs and expenses, including reasonable attorneys' fees, which may arise or accrue to the City through its efforts to repair or recover expenses for the repair of the damage to the water, lines, meters or other equipment of the City water system or Public Works Department.

**4-03-400. Emergencies.**

Notwithstanding the provisions of this Chapter, in the case of leaks or other accidents damaging service laterals or other apparatus connected with the water system, plumbers or other qualified persons may shut off the water at the curb box to make the necessary repairs, and turn on the water upon completion of such repairs without obtaining authorization.

**4-03-410. Waste Prohibited.**

All users of water service shall be required to keep their sprinklers, faucets, valves, hoses and all apparatus connected to the water system in good condition at their own expense and all waterways closed when not in use. No person, unless authorized by the City in accordance with this Chapter, shall turn on or discharge water from any fire hydrant, and no water user or other person shall waste water or allow it to be wasted by imperfect stops, taps, valves, leaky joints or pipes, or to allow tanks or watering troughs to leak or overflow, or to wastefully run water from hydrants, faucets, basins, sinks, or other apparatus, or to use any water from the water system except for culinary and domestic purposes, including lawn sprinkling, unless so authorized by the City, or to use the water

for purposes other than those for which he or she has paid, or use water in violation of the rules and regulations adopted by the City Council.

**4-03-420. Sprinklers.**

All sprinkler systems shall comply with applicable provisions of the Plumbing Code, as adopted and amended by the City, and shall only be allowed in connection with other secondary water service provided to the premises. It shall be unlawful for any person to install or use a sprinkling system which materially affects the pressure or supply of water in the City water system or any part thereof. (Ord. 12-07)

**4-03-430. Curtailment.**

Water shall be supplied first for culinary purposes. In times of water scarcity, the Mayor may, by proclamation, declare a water emergency and limit, ration, or otherwise regulate the distribution or use of water to such extent as may be required for public good of the City. Such action of the City may include, but shall not be limited to, limiting the use of water for lawn sprinkling or imposing a moratorium on new water connections until the emergency has been alleviated.

**4-03-440. Turning Water Off.**

If any water user shall waste water, or shall, within two (2) days after notice is given by the Public Works Department, fail to repair any service connection or plumbing on his or her premises, or fail to comply with any regulations or restrictions with respect to the use of water, he or she shall be liable to have the water shut off from his or her premises by the Public Works Department. Upon the occurrence of any of the foregoing, the Public Works Department shall notify the occupant of the premises and the owner thereof in writing, by personal delivery or certified mail, return receipt requested, of the violation and that the water service will be discontinued if the violation is not remedied within three (3) days. If the violation is not remedied within the required time frame after service of the notice of discontinuance, the Public Works Department shall cause a notice to be left on the property explaining the reason for discontinuance, and the water service may thereafter be discontinued. If water is turned off because of defective plumbing or waste as provided herein, the water shall not be turned on again until the same have been repaired in accordance with the requirements of the Public Works Department, and a fee has been paid for shut off, turn on and inspection as set forth by resolution in the City Consolidated Fee Schedule.

**4-03-450. Cross Connections.**

- A. Generally. This Section shall be known as the "Syracuse City Cross Connection Ordinance," and may be so cited. The purpose of this Section is to protect the public potable water supply from contamination or pollution by isolating within its customers' internal distribution system(s) or its customers' private water system(s) such contaminants or pollutants which could backflow or back-siphon into the public potable water supply system. This Ordinance is adopted pursuant to Section R309-105 of the Utah Safe Drinking Water Rules and Regulations. (Ord. 12-07)
- B. Requirements. No water service connection to any premises within the City shall be installed or maintained unless the water supply is protected. Unprotected cross connections shall not be an integral part of any consumer's water system within the City. In the event a cross connection cannot be eliminated, it must be protected by the installation of an air gap or approved backflow prevention assembly/device in accordance with the provisions set forth herein and indicated in the City Standards and Specifications. (Ord. 12-07)
- C. Responsibilities. It shall be the responsibility of the consumer to purchase, install or cause to be installed, test and maintain any backflow prevention assembly/device

required to herein. It shall be the responsibility of the City Public Works and Building Departments to administer and enforce the provisions of this Section to ensure compliance herewith.

- D. Compliance. All connections to the City water system and backflow prevention devices required herein shall conform to the provisions of this Section, the Plumbing Code, as amended and adopted by the City, the Utah Safe Drinking Water Act, and other relevant provisions of the *Utah Code Annotated*, as amended.
- E. Enforcement. Service of water to any building or location, in the discretion of the City, may be discontinued if a backflow prevention assembly required by this Section is not installed, tested, and maintained, if a backflow prevention assembly has been removed or by-passed, or if an unprotected cross connection exists at the building or location. In addition, water service may be terminated to any building or location when the Public Works Director or Building Official determines that the service connection's water usage constitutes a sufficient hazard or risk to the water supply or to the City's water system. The City shall give reasonable notice to the customer and/or owner of the building or location of the termination of water service to a building or location, and where the consumer could not reasonably be so notified before termination, then notice shall be given promptly afterwards. Service will not be restored until such conditions or defects are corrected to the requirement of this Section and the satisfaction of the City.
- F. Record Keeping. Officers and employees of the Public Works Department and the Building Department shall report all installations of backflow prevention devices, assemblies and methods of cross connection correction installed by or communicated to them to the Public Works Director or his or her designee. The Public Works Director, or his or her designee, shall maintain or cause to be maintained an inventory of all said assemblies, as well as test and repair records on all such assemblies, and shall be responsible for notifying customers of annual testing requirements or other enforcement requirements.
- G. In addition to the provisions of this Ordinance, the City Council is hereby authorized to adopt Rules and Regulations and policies relating to the prevention of cross-connections. (Ord. 12-07)

**4-03-460. Maintenance and Control of Hydrants.**

Fire hydrants are the property of the City and are under the control of and shall be kept in repair by the Public Works Department.

**4-03-470. Tampering with Hydrants.**

Fire hydrants shall not be tampered with and no one shall use, adjust, alter or change any fire hydrant except the Public Works Department or persons duly authorized by the City. It is unlawful for any person, other than those duly authorized, to open or operate any City fire hydrant or to tamper or interfere with or attempt to draw water therefrom, or in any way to obstruct the approach thereto.

**4-03-480. Hydrant Use by City Departments.**

Duly authorized fire protection personnel shall at all times have free and unrestricted access to all fire hydrants. In the event of a fire within the City, a fireman, policeman, or employee of the Public Works Department may order that all valves, taps, and stopcocks connected to the plumbing systems of any property supplied with water service by the City be closed and remain closed until the fire is extinguished. Other City Departments or agencies may use fire hydrants with the approval of the Public Works Department.

**4-03-490. Private Use of Fire Hydrant Water.**

The private use of City fire hydrants for obtaining water is discouraged and shall be used as a measure of last resort and all other means of obtaining water for construction

purposes, dust control and other private uses must be explored and used whenever possible. Any private use of fire hydrants shall require a permit as provided herein.

**4-03-500. Fire Hydrant Water Use Permit.**

- A. Permit Required. Any person or entity desiring to obtain water from a City fire hydrant shall submit an application for a Fire Hydrant Water Use Permit on forms provided by the City to the Public Works Department. The application shall be signed by the applicant or applicant's authorized and certified agent, and shall state the purpose for which the water is to be used, the location of the intended fire hydrant to be used, and the desired term of the permit, not to exceed thirty (30) days. Applicants must agree to and abide by all conditions, charges and liabilities of the permit.
- B. Fees. Each application for a Fire Hydrant Water Use Permit shall be accompanied by the required permit fees as set forth in the City Fee Schedule. No permit shall be issued until the proper fees have been paid to the City. Unless otherwise provided, the permit and fees required herein shall be in addition to any and all other licenses, permits and fees imposed by any other ordinance, regulation or law.
- C. Issuance of Permit. The Water Superintendent shall review all applications for Fire Hydrant Water Use Permits and may issue or deny such applications based upon consideration of the effect of the proposed use, the location of the hydrant, the availability of water from the system, assurance that the use of the hydrant(s) will not adversely affect delivery of water to existing connections to the City water system, and compliance with all conditions and requirements of this Chapter. Permit terms may not exceed thirty (30) days. Permits shall be valid only for the applicant for whom it was issued and only for the location and use for which it was issued and shall not be assignable or transferable.
- D. Water Meter. Upon issuance of a Fire Hydrant Water Use Permit and payment of all required fees and deposits, the permit holder shall obtain a meter and other required equipment from the Public Works Department necessary to obtain and meter the water drawn from the hydrant in accordance with the permit. A deposit shall be required for the use of the meter and other equipment provided by the City in an amount set forth in the City Fee Schedule in order to insure return of the meter and equipment in good condition. The meter number and reading shall be noted on the permit at the time of issuance.
- E. Payment. Upon completion of the use of fire hydrant water or expiration of the permit, whichever is sooner, Applicant shall return the meter and other equipment provided by the City and pay the appropriate fee in accordance with the rates set forth in the City Fee Schedule for the amount of water used as indicated on the returned meter. In the City's discretion, the City may require an applicant to pre-pay for the good faith estimate of the amount of water to be used at the appropriate rate set forth in the City Fee Schedule. Upon completion of the use of fire hydrant water or expiration of the permit, actual water usage shall be determined and the Applicant shall pay to the City any deficiency in water fees owed. All fees, deposits and payments shall be submitted to the City Office for receipt and remittance. (Ord. 12-07)
- F. Inspection. The City reserves the right to supervise and/or inspect the use of any City fire hydrant in accordance with any permit issued hereunder. Applicant shall close the hydrant and disconnect the meter from the hydrant when not using the water, thereby leaving the hydrants free and clear for use by the fire department and City officials.
- G. Free Access. No private use of City fire hydrants as permitted herein, may interfere with the use of any fire hydrant by City officials, and the fire department shall at all times have free access to all fire hydrants.
- H. Records. The Public Works Department shall keep a record of all permits issued

hereunder, including the name of the person to whom the permit was issued, the term of the permit and the fees and deposit collected.

- I. Rules and Regulations. The Public Works Department may establish and adopt, with the advice and consent of the City Council, rules and regulations governing the use of City fire hydrants and permits for the same.
- J. Indemnification. Applicant shall be responsible for returning the meter and equipment to the City in good condition when due. A late fee may be charged for any meter or equipment which is not returned to the City within twenty-four (24) hours from the expiration of the permit as provided in the City Fee Schedule. Applicant shall be responsible to reimburse the City for the cost to replace any meter or equipment not returned and shall be liable for any and all damage to the City fire hydrant(s) or equipment in connection with applicant's use of the hydrant. Applicant shall further indemnify and hold harmless the City, its officers, employees, agents and sureties, from liability of any kind or nature which may result from use of the hydrant, meter, equipment or water as permitted herein.
- K. Revocation. Any Fire Hydrant Water Use Permit issued hereunder may be revoked or suspended by the City upon applicant's failure to comply with the rules and regulations of the Public Works Department and the ordinances of the City governing the use of water from City fire hydrants. Prior to revocation of any permit, proper notice and an opportunity to be heard shall be provided to the permit holder.
- L. Appeals. Any person aggrieved of the denial or revocation of a Fire Hydrant Water Use Permit may appeal such decision to the City Council by filing written notice of appeal within fifteen (15) days from the date of the decision.

**4-03-510. Secondary Water Connection.**

- A. New Residential Buildings. All new residential building sites shall be served by pressure irrigation in accordance with the City Subdivision Ordinance. No new building permits will be issued until the applicant has made arrangements to connect to an irrigation water system. Each owner shall extend to the pressure irrigation system and provide a connection for the building site concurrent with construction of the residence.
- B. Existing Residential Buildings. All owners of existing residences having access to pressurized irrigation systems are encouraged to connect to such systems for all outside watering.

**4-03-520. Wellhead Protection.**

In order to protect ground water sources that supply water to the City potable water system, the City shall adopt a Wellhead Protection Ordinance set forth in the City Zoning Ordinance restricting land use and development within the vicinity of any well that supplies potable water to the City water system in order to protect such areas from urban development which may cause pollutants to be discharged into the ground water supply. All development within the City must comply with the provisions of the Wellhead Protection Ordinance.

**4-03-530. Penalty.**

Unless otherwise specifically provided, any person who violates any provision of this Chapter shall be guilty of a Class B misdemeanor and shall be subject to fines and/or imprisonment as provided in *Utah Code Ann.* §§ 76- 3-301 and 76-3-204, as amended. In instances where the violation is a continuing violation, a separate offense shall be deemed committed for each day in which the violation occurs or continues. This Section shall not limit the authority of any court of competent jurisdiction to impose any other sanction or order any other relief as may be appropriate under the laws of the State of Utah. (Ord. 12-07)

**4-03-540. Board of Equalization.**

The City Council is hereby designated as the board of equalization of water rates to hear complaints and make corrections of any assessment alleged to be illegal, unequal or unjust. All complaints shall be filed in writing to the City Recorder and shall state the grounds for the complaint.

## CHAPTER 4

### IRRIGATION WATER AND NATURAL WATER COURSES

**4-04-010. Prohibited Uses of Non-Potable or Irrigation Water**

**4-04-020. Damming or Obstructing Water Course or Stream**

**4-04-030. Permit Necessary for Culvert or Other Obstruction**

**4-04-010. PROHIBITED USES OF NON-POTABLE OR IRRIGATION WATER.** It shall be unlawful for any person, firm or corporation to:

- (A) Use or cause to be used any untreated or non-potable water from a pressure irrigation system for other than irrigation purposes.
- (B) Interconnect or cause to be interconnected the potable and non-potable portions, distribution systems or service lines of dual water supplies or extensions thereof.
- (C) Install or cause to be installed in the same trench or trenches the distribution or service lines of potable and non-potable water.
- (D) Connect or cause to be connected a service line to any distribution system or main line carrying non-potable water without authority of Syracuse City or employee having jurisdiction of the non-potable water supply.
- (E) Extend or cause to be extended into any building a non-potable water supply system or service line.
- (F) Connect or cause to be connected to any fire hydrant, a non-potable water supply or service line.
- (G) Expose or cause to be exposed any portions of a non-potable water supply 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. (Ord. 12-07)
- (H) Contaminate or cause to be contaminated any source of supply, distribution system, or service line furnishing or carrying non-potable water or potable water. (1971) (Ord. 12-07)

**4-4-020. DAMAGING OR OBSTRUCTING WATER COURSE OR STREAM.** It shall be unlawful for any person to place, replace, or maintain any dam or other obstruction of any kind in the channel of any natural or artificial water course or living stream within the limits of the City of Syracuse so as in any way to interfere with or impede the flow of the irrigation supply stream.

## CHAPTER 5

### PRESSURE IRRIGATION WATER SERVICE

- 4-05-010. **Schedule of Rates and Charges CHANGE ALL TO CHAPTER 5**
- 4-05-020. **Connection Fees**
- 4-05-030. **Due Date of Service Charges**
- 4-05-040. **Due Date of Connection Fee**
- 4-05-050. **Application for Water Service**
- 4-05-060. **Permits and Reports**
- 4-05-070. **Regulations**
- 4-05-080. **Fixtures and Fittings used in Water Connections**
- 4-05-090. **Use Without Payment Prohibited**
- 4-05-100. **Discontinuance of Service if Payments Delinquent**
- 4-05-110. **Turning on Water Without Authorization**
- 4-05-120. **Taker Only to Use Water**
- 4-05-130. **Waste Prohibited**

- 4-05-010. **SCHEDULE OF RATES AND CHARGES.** The City Council shall, by Resolution establish such rates for the provision of pressure irrigation services as appropriate and necessary.

The pressure irrigation water service shall not be used to irrigate any area exceeding 1.0 acre or for any lot on which the principle building has not been constructed. (Ord. 02-15)

- 4-05-020. **CONNECTION FEES:** The City Council shall, by Resolution, establish such rates for the connection to the pressure irrigation water system of the City. Rates shall be based on the size of the connection.

Any special connections shall have fees set by the City Council in each individual situation.

Any applicant for a pressure irrigation water connection to any lot or property abutting a street, alley, or other right-of-way containing a pressure irrigation line shall pay the full connection fee therefore. (Ord. 01-14)

- 4-05-030. **DUE DATE OF SERVICE CHARGES.** Payment of all rates and charges accruing shall be made to the City at the same time as payments are due and payable for culinary water service furnished by the City, and shall accrue for all pressure irrigation water services available after September 30, 1984, regardless of whether irrigation water or irrigation water distribution lines are then available to the properties so charged. (1984) (Ord. 12-07)

- 4-05-040. **DUE DATE OF CONNECTION FEE.** Payment for the water connections accruing shall be made in full prior to the connection to the pressure irrigation lines; provided, however, that upon signing of a Time Payment Agreement, the City may allow installment payments of the connection fee over a one-year period from the date of application for service. (1984) (See Resolution R89-13) (Ord. 12-07)

- 4-05-050. **APPLICATION FOR WATER SERVICE.** Any person desiring to secure pressure irrigation water when such service is available, shall apply to the City and file an agreement with the City which shall be in substantially the following form:

WATER APPLICATION AND AGREEMENT

Application is hereby made by the undersigned to Syracuse City for a pressure irrigation water connection for property owned by the undersigned and identified as

\_\_\_\_\_

In making said Application the undersigned agrees:

1. That undersigned will pay a connection fee of \$\_\_\_\_\_ to the City upon approval of this Application, or in installments as determined by agreement with the City.

2. Undersigned will pay for all water and services afforded by the City at the lawfully established monthly rates as may from time to time be established by the City Council of Syracuse.

3. Undersigned will abide by and obey all lawful rules and regulations of the City which may be adopted from time to time.

4. Permission is hereby granted in consideration of accepting of this Application to the City and its agents, to enter the property of Applicant to install, maintain, and/or replace appurtenant works.

5. In the event undersigned becomes delinquent for more than 30 days in the payment of the monthly service charge, undersigned will pay the reasonable cost (whether suit is filed or not) of collecting the arrearages, including a reasonable attorney's fee, and also agrees that undersigned's pressure irrigation and culinary water service may both be discontinued until payment of such arrearages has been made.

Dated this \_\_\_\_\_ day of \_\_\_\_\_.

IN WITNESS WHEREOF, the undersigned has caused this Application and Agreement to be executed as of the day and year above written.

\_\_\_\_\_

ACCEPTED:  
SYRACUSE CITY

\_\_\_\_\_

By \_\_\_\_\_

When Applicant is not the actual owner but is merely buying served premises under Contract, or when the Applicant is a building contractor applying for new water service, claiming to be the owner of the property, the City may require a deposit in the amount of \$\_\_\_\_\_ to guarantee payment of all such water service.

Applications for water service to premises occupied by a tenant shall be made by the owner of the premises, who shall be responsible for payment of all water service thereto. (1984)

**4-05-060. PERMITS AND REPORTS.** It shall be unlawful for any person to make any extension of any pipe or connect any fixture to the pressure irrigation distribution system for any purpose whatsoever without first obtaining permission from the Syracuse City Water Superintendent. All persons must, within 24 hours after the completion of any plumbing

work connected with the water system, report the same to the Water Superintendent. (1984)

- 4-05-070. REGULATIONS.** The City Council shall establish by Ordinance or Resolution such regulations controlling and governing the pressure irrigation water system of the City, the manner of making such connections, and other regulations as may be necessary for the operation of the water system. (1984)
- 4-05-080. FIXTURES AND FITTINGS USED IN WATER CONNECTIONS.** It shall be unlawful for any person to use any kind or size of fitting, pipe, valves , or other equipment in connection with the pressure irrigation distribution system, except the kind prescribed by the City Public Works Department. (1984) All connections made to the cities stop valves are required to be installed with an owner valve in close proximity to the supply valve. The connection to the cities stop and waste valve is the termination point of the Cities responsibility for care and maintenance. Use of the Cities stop valve is strictly prohibited unless closing the valve is necessary to prevent flooding or property damage. The city recommends all users install a filter following the owner valve.
- 4-05-090. USE WITHOUT PAYMENT PROHIBITED.** It shall be unlawful for any person by himself, family, servants, or agents to utilize the City pressure irrigation water system without paying therefore as herein provided, or without authority to open any, valve, or other fixture attached to the system or water supply, or to in any way injure, deface, or impair any part or appurtenance of the system or to cast anything into any reservoir or tank belonging to said system. (1984)
- 4-05-100. DISCONTINUANCE OF SERVICE IF PAYMENTS DELINQUENT.** The City shall mail a written statement to each user of the pressure water service once each month, or at such other regular intervals as the City Council shall direct. Said statement shall specify the amount of the bill for the pressure irrigation water service used and the place of payment and date due. If any person fails to pay the charges within 30 days of the due date, the City shall so notify the Water Department and shall have authority to direct said Department to shut off all water service, both pressure irrigation and culinary, to the premises involved. Before said service to the premises shall again be provided, all delinquent water charges must be paid to the City, together with such disconnection and re-connection charges as may be established by resolution of the City Council. The City is hereby authorized and empowered to enforce payment of all delinquent water service charges by an action at law in the corporate name of the City. (1990) (Ord. 12-07)
- 4-05-110. TURNING ON WATER WITHOUT AUTHORIZATION.** It shall be unlawful for any person, after the water has been turned off from his premises on account of non-payment of rates or other violation of the rules and regulations pertaining to the water supply, to turn on or allow the water to be turned on or used or allow the water to be used.. (1984)
- 4-05-120. TAKER ONLY TO USE WATER.** It shall be unlawful for any water user to permit any person from other premises, or any unauthorized persons, to use or obtain water regularly from his premises or water fixtures. (1984)
- 4-05-130. WASTE PROHIBITED.** It shall be unlawful for any pressure irrigation water user to waste water, or to allow it to be wasted, by imperfect stops, taps, valves, leaky joints or pipes, or to allow tanks or watering troughs to leak or overflow, or to wastefully run water from hydrants, faucets, or valves, or other apparatus, or to use water in violation of the rules and regulations for controlling the water supply.(1984)

## CHAPTER 6

### CEMETERY REGULATIONS

4-06-01	Definitions
4-06-02	Cemetery Name
4-06-03	Office of Sexton
4-06-04	Duties of Cemetery Sexton
4-06-05	Sale of Burial Rights
4-06-06	Transfer of Burial Rights
4-06-07	Interments
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4-06-10	Conduct
4-06-11	Cemetery Hours
4-06-12	Monuments and Markers
4-06-13	Decorations of Graves
4-06-14	Perpetual Care
4-06-15	Penalty

4-06-01	Definitions
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**CEMETERY:** The term "Cemetery" shall mean any Cemetery owned and/or maintained by the City for the purpose of receiving the remains of deceased humans.

**Cemetery Office:** The term "Cemetery Office" shall mean the Public Works Office maintained at, 3061 South 2400 West, Syracuse, Utah 84075.

**Certificate:** The term "Certificate" referred to herein shall mean Burial Right Certificate.

**City:** The term "City" shall mean Syracuse City, Utah.

**Certificate Holder:** The term "Certificate Holder" is intended to mean and shall be construed to mean owner of purchaser of burial rights and privileges, or the collateral right of use of any burial plot, evidenced by a Burial Right Certificate or by proved and recognized descent or devise from the original owner.

**LOT:** The term "lot" shall include partial lots or single graves in the City Cemetery.

**Marker:** The term "Marker" means a headstone flush with the surface of the ground made of granite, marble, and metal surfaces.

**Monument:** The term "Monument" shall include tombstone or headstone of granite, marble, or metal substances which shall extend above the surface of the ground at least twelve inches (12") in height or higher, but not exceeding four feet (4').

**Mow Strip:** The term "Mow Strip" shall refer to the six (6) inch concrete strip around the monument or marker.

**PERSON:** The term "person" shall mean individual, group, partnership, firm, corporation, or association.

Responsible Party: The term "Responsible Party" shall refer to any person selected by the family of the deceased to act in its behalf and can include the heir apparent, religious leader, mortician, funeral director, or any other person the family selects in choosing graves, making available information on the deceased party, and taking full liability for the family obligations concerning the services performed on the Cemetery's property.

RESIDENTS: Any person currently residing within the incorporated limits of Syracuse City, or any person owning property within the incorporated limits of Syracuse City, or any person who resided within the incorporated limits of Syracuse City immediately prior to being placed in a health care institution.

SEXTON: The term "sexton" shall be an individual appointed by the Mayor with the advise and consent of the City Council and whose duties are described within this Chapter. (Ord. 12-07)

WORDS: Single words shall include the plural and masculine words shall include the feminine and neuter.

4-06-02 **CEMETERY NAME.** The burial ground of Syracuse City shall be known and designated by the name of Syracuse City Cemetery.

4-06-03 **OFFICE OF SEXTON.** There is hereby created the office of City Sexton which office shall be filled by appointment of the Mayor, with the advice and consent of the City council.

4-06-04 **DUTIES OF CEMETERY SEXTON.**

- (1) It shall be the duty of the Cemetery Sexton, or his/her representative, to supervise, manage, operate, maintain and improve the Cemetery in accordance with the provisions of the City ordinances and the rules and regulations adopted by the City Council.
- (2) It shall be the Cemetery Sextons duty to keep a true and correct record of all burial plots.
- (3) The Cemetery Sexton, or his/her representative shall direct all interments, disinterment, and marking for monuments or markers in the Cemetery.
- (4) The Cemetery Sexton shall direct all funeral corteges while in the boundary of the Cemetery as deemed necessary.
- (5) The Cemetery Sexton shall approve all claims chargeable against the Cemetery. The Cemetery Sexton shall provide such information to the City Manager or City Council as may require.
- (6) The Cemetery Sexton shall employ such help as required to carry out the duties prescribed by the City ordinances and the rules and regulations adopted by the City Council.
- (7) The Cemetery Sexton shall have the authority to announce additional regulations when necessary, with the approval of City Council.
- (8) Any person or firm desiring to perform work within the cemetery must first secure the approval and written permission of the Sexton. All settings of vases, markers and monuments and all plantings of trees, shrubs and flowers must be approved by the Sexton be for the work is commenced and all work shall be performed under the direction of the Cemetery Sexton or his/her representative.
- (9) It shall be the duty of the Cemetery Sexton to remove floral pieces or displays left on any grave when he/she deems necessary.

4-06-05 **SALE OF BURIAL RIGHTS**

- (1) The Cemetery Sexton or his/her representative shall be the registrar of burials for the City, and before burying any dead in any city-owned Cemetery within the city limits, the relatives or other persons having charge of said body shall be required to furnish to the Sexton or representative, a statement of which shall include the name of the person deceased, when and where born, if known, the date of death and cause thereof. Also, the initial letter with information of the plat, as well as the number of block, lot and position where person is to be buried.
- (2) No person who shall purchase the use of any grave site or lot for burial purposes within the city cemetery shall sell such position or lot to any buyer except the city.
- (3) The city hereby agrees to buy back the any lot which it may hereafter sell. The price in which the city buys back a lot shall be the exact price the owner paid. In no event shall the city pay more nor less that what the lot was originally purchased for.
- (4) The sale of every lot is a right to burial. The lot or grave site owner does not own the ground in which the person is said to buried in. The use of every lot or single grave site sold is subject to the rules and regulations that may be hereafter adopted and to such changes of the present rules as are found necessary for the protection of lot owners and the remains of the dead, and any such sale shall cover the use of such lot or grave site for burial purposes only. In the event of an emergency the sexton has the sole right to move lot or grave site owners to other unoccupied lots without reimbursement from the city.

4-06-06

#### **TRANSFER OF BURIAL RIGHTS**

- (1) Where ownership to a purchased lot is to be transferred, the original deed shall be cancelled and the record so corrected. A transfer fee, as set by the resolution of the City Council shall be paid to the City Sexton for such service.
- (2) Whenever ownership to purchased lots reverts to the City, the original deeds shall be filed with the City Sexton, and before new deeds are issued covering said property, the original deed shall be cancelled or quit claim deed given and the record so changed.

4-06-07

#### **INTERMENTS**

- (1) There shall be no interment of anything other than the remains of human bodies in City Cemetery and no interment of any deceased human shall be made in any other place than within cemeteries devoted to that purpose.
- (2) No person, except the certificate holder of a lot upon which interment is to be made, shall use the plot or lot in the Cemetery, without first obtaining written permission from the certificate holder of said lot, or nearest relative of the certificate holder thereof.
- (3) Funeral directors must schedule the use of the cemetery, have the interment work order signed, and have fees paid in full before arrangements with the family are concluded.
- (4) The human remains must arrive to the cemetery before 3:00 p.m. (November 1 to April 30) and at or before 4:00 p.m. (May 1 to October 31) for interment if the grave is to be filled in with earth the same day.
- (5) There shall be no interments on Sundays or the legal holidays of New Years Day, Memorial Day, Independence Day, Pioneer Day, Thanksgiving Day, and Christmas Day.
- (6) No person shall be buried in the City Cemetery unless the casket shall be placed in a reinforced concrete, steel or other vault approved by the City Sexton.
- (7) Saturday services will be charged an additional fee as set for by the City Council in addition to the standard interment fee.

- (8) It shall be unlawful to bury the body of any person within the limits of the city, except in public or private cemeteries located therein, unless special permission by the City Council.

4-06-08

#### **DISINTERMENT**

- (1) No person shall disinter any human remains in the cemetery, except under the direction of the Sexton. All disinterments shall comply with applicable State law.
- (2) Before disinterring any remains of any person who has been buried in the Cemetery, the relatives or other person having charge of said remains shall be required to furnish in writing the Cemetery Sexton or his/her representative a request for disinterment which shall include name of deceased, when and where they were born, when and where death occurred, initial letter of the plat, as well as the number of block or lot where said person is buried, together with the name of the mortuary and those persons responsible for the said disinterment.
- (3) The City assumes no responsibility whatsoever for the condition of any casket or vault involved in any removal.

4-06-09

#### **ABANDONMENT**

- (1) The City may reclaim any unused burial site which has been unused for burial purposes for more than sixty (60) years, and during the sixty (60) year period the owner has not given the municipality written notice of any claim or interest in the lot or parcels.
- (2) Before a lot or any portion thereof shall be deemed to have been abandoned, the City Council shall set a time and place for hearing to determine the question of abandonment and shall:
  - (a) Cause a notice of the time and place of the hearing to be posted in a conspicuous place on the lot or portion thereof affected by said hearing at least 20 days prior to the date of the hearing.
  - (b) Cause a notice of said hearing to be published in at least one issue of a newspaper having general circulation in the City, said publication being not more than 30 days or less than 10 days prior to the date of said hearing.
  - (c) Cause a notice to be sent by certified mail to the last known address of each of the owners or users of said lot or portion thereof as shown by the City's records at least 20 days prior to said hearing,

At such hearing the City Sexton and others having information concerning the use made of the lot or portions of lots by said owner or owners shall attend and present evidence as to such use or uses, and the recorded owner or owners of said lot and/or their heirs and descendants and all other persons appearing on their behalf may offer such evidence of use as may bear upon the question of abandonment. All proceedings shall be informal, and the City Council shall determine whether or not the lot or lots, or portions thereof, have been abandoned and shall cause a notice of its decision to be sent to those persons requesting the same and who appeared at such hearing.

4-06-10

#### **CONDUCT**

- (1) No loud, boisterous or turbulent noise of any kind which is deemed undesirable or interferes with the decorum of the cemetery will be permitted within the boundaries of the Cemetery.
- (2) No alcohol beverage of any kind shall be permitted within the boundaries of the Cemetery.

- (3) No person shall injure, deface, take, or carry away from any grave or lot any monument, marker, tree, shrub, flower, ground or ornament in the City Cemetery except with permission from the Sexton.
- (4) It shall be unlawful for any person to erect or plant additions to the cemetery including but not limited to a fence, post, tree, shrub, monument or marker without permission of the Sexton.
- (5) Placing of signs or notices of advertisements of any kind within the City Cemetery will not be permitted. (Ord. 12-07)
- (6) No loitering or loafing on the grounds or around buildings will be permitted within the boundaries of the Cemetery.
- (7) It shall be unlawful for any person to drive at a speed greater than fifteen (15) miles per hour in the cemetery.
- (8) It shall be unlawful for any person to drive any vehicle over or across the lawn area or lot within the confines of the cemetery.
- (9) No animals, except service animals, shall be allowed in any cemetery except in the confines of a vehicle and must at all times be retained within the confines of said vehicle while the vehicle remains in the cemetery. (Ord. 12-07)

4-06-11 **CEMETERY HOURS.** It shall be unlawful for any person to visit the Cemetery between the hours of one-half hour after sunset or one-half hour before sunrise without previous consent of the Cemetery Sexton.

4-06-12 **MONUMENTS AND MARKERS**

- (1) It shall be unlawful for any person to erect or place any marker or monument on any lot in said Cemetery without approval of the Cemetery Sexton.
- (2) The installation of all grave markers or monuments will be under the supervision of the Cemetery Sexton or designee. A notice to the Cemetery office by the Monument Company or responsible party must be made at least forty-eight (48) hours prior to the installation.
- (3) All monuments and markers must comply with the following;
  - (a) A Monument can not exceed thirty six (36) inches in height.
  - (b) The combined width of the concrete strip and marker or monument shall not exceed forty two ( 42) inches of the burial plot (s) owned by the monument owner. (Ord. 12-07)
  - (c) Foundation of any monument or marker placed in the cemetery must have a concrete foundation six (6) inches or deeper.
  - (d) Monument or marker must be securely set with a concrete mow strip not less than six (6) inches wide around all sides of the marker.
- (4) There shall be no other monuments, markers or structure placed upon any lot, except as provided in this chapter and with permission of the Sexton.
- (5) The Cemetery and City accept no responsibility for loss or damage to any monument or marker unless such loss or damage is a direct result to negligence on the part of the City.

4-06-13 **DECORATIONS OF GRAVES**

- (1) Fresh cut flowers and artificial flowers are permitted at any time if placed in a permanent vase located on the monument, and may be removed and discarded without notice when they become unsightly at the discretion of the sexton.

- (2) All decorations including but not limited to balloons, craft items, figurines, pinwheels, potted live plants, shepherds hooks, and solar lights are not permitted during the mowing season which is April 1 to November 1, and may be removed and discarded without notice at the discretion of the sexton.
- (3) Funeral flowers, floral pieces and decorations may be removed and discarded without notice when they become unsightly at the discretion of the Sexton.
- (4) During the mowing season any item (s) placed on the mow strip or on the lawn may be removed and discarded without notice.
- (5) A general cleanup (all flowers and grave decorations may be removed and discarded) may be done annually on:
  - (a) The first Monday in April.
  - (b) The Monday following Memorial Day
  - (c) The first Monday in November.
- (6) The City claims no responsibility or liability, nor will accept any claims against it, for loss or destruction of personal property left in the Cemetery.

4-06-14

**PERPETUAL CARE**

- (1) The City reserves the right to enter upon any grave and to perform all work necessary for the care and upkeep of all lots and graves in said Cemetery.
- (2) General care shall be deemed to include general ground maintenance, and shall include, but not limited to, mowing, trimming, removing dead flowers, trimming trees and shrubbery when necessary, but shall not include repairing or replacing monuments of any nature, except when the need for repair or replacement is directly caused by the city.

4-06-15

**PENALTY.** Violation of this shall constitute a class B misdemeanor.

**CHAPTER 7**  
**CITY PARKS AND TRAILS**

<b>4-07-010:</b>	<b>Parks and Trails Defined</b>
<b>4-07-020:</b>	<b>Authority to Establish</b>
<b>4-07-030:</b>	<b>Care of Parks and Parks Facilities</b>
<b>4-07-040:</b>	<b>Alcoholic Beverages, Drugs or Gambling</b>
<b>4-07-050:</b>	<b>Open fires</b>
<b>4-07-060:</b>	<b>Nuisances</b>
<b>4-07-070:</b>	<b>Motor Vehicles and Speed Limit</b>
<b>4-07-080:</b>	<b>Signs and Advertising</b>
<b>4-07-090:</b>	<b>Animals</b>
<b>4-07-100:</b>	<b>Golf and Archery</b>
<b>4-07-110:</b>	<b>Athletic Games</b>
<b>4-07-120:</b>	<b>Personal Profit or Financial Gain</b>
<b>4-07-130:</b>	<b>Hours of Closure</b>
<b>4-07-140:</b>	<b>Park Availability</b>
<b>4-07-150:</b>	<b>Entertainment and Similar Activities</b>
<b>4-07-160:</b>	<b>Concessions</b>
<b>4-07-170:</b>	<b>Park Reservations and Fees</b>
<b>4-07-180:</b>	<b>Camping or Sleeping Overnight</b>
<b>4-07-190:</b>	<b>Skatepark</b>
<b>4-07-200:</b>	<b>Aquaculture Facilities</b>
<b>4-07-210:</b>	<b>Trails</b>
<b>4-07-230:</b>	<b>Equestrian Park</b>

**04-07-010**

- A. **PARKS AND TRAILS DEFINED:** For purposes of this chapter, a "park" or "trail" shall be defined as real property owned, leased or controlled by the city and operated and maintained by the city, and set apart for the use of the general public, as developed ground primarily utilized for active and passive recreational uses and which is usually, or may be, planted with trees, lawns and other landscaping, and which may include within its boundary facilities for sports, entertainment, dancing, recreation, swimming or is planned for such future use.
- B. **MULTI-USE OPEN SPACE DEFINED:** For purposes of this Chapter "multi-use open space" shall be defined as real property owned, leased or controlled by the City and operated and maintained for a primary purpose which is utility or health and safety related, but which also provides incidental recreational use. A multi-use open space is not a park or a trail.

**4-07-020:** **AUTHORITY TO ESTABLISH:** The City Council may establish such reasonable rules and regulations as may be necessary for the use, control, management and protection of the public parks and trails and for multi-use open space.

**4-07-030:** **CARE OF PARKS, TRAILS AND MULTI-USE OPEN SPACE:**

- A. In any park, trail or multi-use open space owned or operated by the city, it shall be unlawful to cut, break, move, take or otherwise injure, destroy or deface any trees, shrubs, plants, turf, rock or any building, fence, bridge, sign or other structure, or pollute any spring or stream.

- B No person shall dump any earth, rubbish or other substance or material in or upon any park, trail or multi-use open space without written permission from the City.
- C No person shall throw or deposit litter in any park, trail or multi-use open space within the City except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the property or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the property by the persons responsible for its presence and property disposed of elsewhere.
- D. All persons and groups reserving facilities under this Chapter shall leave the property clean and in good repair. Persons violating this section may be barred from further reservation of the facilities, at the discretion of the city council.
- E. It shall be unlawful to scratch, cut, injure or deface any of the buildings, fences, structures or other property or pollute any of the fountains, ponds or any other improvements; or to cut or injure flowers or flowerbeds within a park; to walk upon turf or seeded areas where posted; or for the owner of any dog to allow the same to run at large within the parks, trails or multi-use open space.

**4-07-040: ALCOHOLIC BEVERAGES, DRUGS OR GAMBLING:** The sale, consumption or possession of intoxicating liquors or beverages and dangerous or narcotic drugs, or gambling of any kind, is prohibited in all parks, and on all trails, and on multi-use open space properties of the City.

**4-07-050: OPEN FIRES:** No person shall make or kindle any open fire except in designated fireplaces, fire pits, and grills provided for this purpose or in private portable commercially manufactured grills. Grills provided for public use shall be on a first come, first served basis. After use, all coals shall be drowned, cooled and removed from the property.

**4-07-060: NUISANCES:** It shall be unlawful for any person to use threatening, abusive, insulting or indecent language; to commit any obscene or indecent act; to fight; or to create a public disturbance or nuisance in any park, trail or multi-use open space. Any person who loiters in a park, trail or multi-use open space under the influence of alcohol or drugs or who otherwise disturbs the peace of park users by begging, soliciting, making undue noise or engaging in disruptive activities shall be deemed to create a nuisance.

It is unlawful for any person or persons to create any nuisance or commit any offense that is in violation of state law or city ordinance or fail to obey the lawful directives and/or orders from any law enforcement officer or their designated city official.

**4-07-070: MOTOR VEHICLES AND SPEED LIMIT:** No person shall ride in or drive any motor vehicle upon any park, trail or multi-use open space except upon roads, parking areas or other hard-surfaced areas designated for motor vehicle operation. This shall not apply, however, to motorized equipment used within the property by officers or employees of the city, the Department of Wildlife Resources, or other county or state agency in the performance of their official duties. It is prohibited for any person to commit any act, by use or operation of any motor vehicle on any park, trail or multi-use open space, which if committed upon a public highway or street in the state, would be prohibited and unlawful.

A Speed Limit: Speed limits within all parks, trails or multi-use open space shall be fifteen (15) miles per hour unless otherwise posted.

- B Manner of Operation: No motor vehicles shall be operated in a careless or reckless manner to such an extent that it will endanger the peace, health and safety of any other person or animal within the property.
- C Parking: There shall be no parking at any time except in areas designated for such purposes. Abandoned vehicles shall be towed at owner's expense. No one shall test or repair any vehicle or mechanical device in any park, trail or multi-use open space.

**4-07-080: SIGNS AND ADVERTISING:**

- (A) Regulatory Signs: Where signs have been posted under the direction of city officials on any city owned or city leased property regulating walking, entertainment, sports, use of vehicles, parking, instructions as to animals, fishing, swimming or containing other regulatory information, it is unlawful for any person to violate the provisions of such regulatory signs.
- (B) Other Signs and Advertising: No person shall, without written permission of the parks' superintendent, erect, paint, paste or otherwise affix or distribute any signs, advertisements or circulars on parks, trails or multi-use open space. The sale of anything or the solicitation of funds or donations is forbidden, except upon written permission from the City.

**4-07-090: ANIMALS:** Except in the City's Equestrian Park, Horses, cattle, and livestock of any kind are prohibited in any park. Domestic animals, i.e., dogs, cats, on a leash no more than six feet (6') in length and under the control of a person may be brought into parks, trails and multi-use open spaces. It is unlawful for any person to hitch or fasten any animal to any tree, shrub, fountain, monument, lamppost or any other ornament growing or situated in any public street, public park or place within the corporate limits of the City. It is unlawful for any person to allow any animal under his control to stand near enough to any such trees or shrubs to bite, rub against or otherwise injure the same.

No Person shall annoy, interfere with, injure, release from confinement, or abandon any fowl, or animal, wild or domestic, in a city park or on a trail, or in multi-use open space.

No person shall set a trap or snare, or shoot, injure, or poison any wild animal or bird, or injure or destroy any nest except as authorized by an animal regulatory officer.

**4-07-100: GOLF AND ARCHERY:** Practicing, playing or using public park areas, trails or multi-use open spaces for golf and archery is prohibited.

**4-07-110: ATHLETIC GAMES:** Permits are required for using city property for organized athletic events. Permits will be issued by the City and shall not interfere with City sponsored athletics or other events. A valid permit shall be displayed upon request in order to avoid conflicts in the use of facilities. Persons failing to honor a valid permit may be denied future permits to use the facilities.

**4-07-120: PERSONAL PROFIT OR FINANCIAL GAIN:** Reservations for park areas or multi-use open spaces or facilities shall not be granted for personal profit or financial gain without written permission from the City.

**4-07-130: HOURS OF CLOSURE:**

- A. It shall be unlawful for any person, minor or adult, to be on any city park or multi-use open space, parking lot or sidewalk within property boundaries during the hours of twelve o'clock (12:00) midnight and five o'clock (5:00) a.m. except as otherwise posted. The city shall reserve the right to lock any gate or chain any door offering access to any property or building in order to restrict nighttime usage thereof.
- B. This Section does not apply to the following:
  - (1) An individual or group involved in a city-sponsored activity where a city employee or an agent of the city is present.
  - (2) In any areas that may be designated for overnight camping, provided those camping possess a permit therefore.
  - (3) By written permit; provided, that the possessor of the permit strictly complies with the requirements therein.
- C. The City Manager or his designee may temporarily close or curtail activities upon any lands or waters, or any portions thereof, when it has been deemed to be in the best interest of public safety, conduct, health or order.

**4-07-140: PARK AVAILABILITY:** Park facilities and multi-use open spaces may be reserved for use any day between April 15 and October 15. The city reserves the right to withhold reservations for any given day during the period of availability for any City sponsored event or if the city determines there is necessary maintenance, cleanup, repair, or other work of an extraordinary nature that needs to be performed on any property or facility.

**4-07-150: ENTERTAINMENT AND SIMILAR ACTIVITIES:** No entertainment, demonstration, exhibition, meeting, concert or tournament, whether public or private, shall be given in any park, trail or multi-use open space without having obtained the written permission from the City.

**4-07-160: CONCESSIONS:** No person may sell food, drinks, or other items in the park, trail or multi-use open space except as may be permitted by special contract approved by the City.

**4-07-170: PROPERTY RESERVATIONS AND FEES.** In general, park, trail and multi-use open space usage is available on "first come, first served" basis. Planned events in which a reservation has been obtained shall have priority over events or uses that have not obtained a reservation.

- (A) Reservations: Application for reservation of amenities may be made at the city office.
- (B) Fees: A fee set by resolution shall be charged and collected at the time of reservation.
- (C) Keys: Keys to reserved facilities may be picked up at the city offices on the last working day prior to the date of the reservation and returned on the first working day thereafter. A deposit shall be required and shall be forfeited if the key is lost or damaged. No such key shall be duplicated except by authorized city personnel.

**4-07-180: CAMPING OR SLEEPING OVERNIGHT:** Camping or sleeping overnight in city parks, trails or multi-use open space is prohibited without first obtaining a permit from the City.

**4-07-190: SKATEPARK:**

- (A) In any skatepark facility owned or operated by the city of Syracuse, the use of bicycles of any type, scooters, similar devices, and motorized vehicles are prohibited.
- (B) Persons riding a skateboard, or using roller skates, or in-line skates in a skatepark facility owned or operated by the city shall, without city supervision, skate at their own risk. The use of safety equipment including helmets, kneepads, elbow pads, and wrist guards is strongly recommended.
- (C) Any person riding a skateboard, roller skates, or in-line skates in the facility shall exercise extreme caution, respecting the use of the facility by other skaters, and complying with all other city ordinances pertaining to public peace, morals, and welfare.
- (D) It is unlawful for any obstacles, including ramps, rails, or similar equipment or material not constructed as part of the skatepark to be on the premises including, but not limited to, parking lots, sidewalks, grass areas, spectator areas, or other City property.
- (E) It is unlawful for any user or spectator to not report any damage or hazardous condition to the City.
- (F) It is unlawful for any person to organize events at the skatepark facility without prior written approval from the director of parks and recreation or his designee. The city reserves the right to organize, promote, sponsor, and rent the facility for special events and may preempt other scheduled events at its own discretion if necessary.
- (G) It is unlawful for any person to skate in the skatepark before dawn and after dusk on any day. The facility shall be open to the public dawn to dusk unless otherwise posted. The operating schedule of the facility may be curtailed at the discretion of the city for inclement weather, special events, unforeseeable circumstances, or for repairs to the skatepark.
- (H) Any person who fails or refuses to comply with the provisions of this section and who is injured while using the skatepark facility shall be deemed negligent.
- (I) Any person failing to comply with the above stated rules and regulations is guilty of an infraction and subject to citation.

**4-07-200: AQUACULTURE FACILITIES:**

- A Fishing: The use of any park with aquaculture facilities for the purpose of fishing must be in compliance with Title 23 of Utah Code Annotated (wildlife resources code of Utah), the rules and proclamations promulgated thereunder, orders issued pursuant thereto, and the provisions of this section.

(1) Ice Skating and/or ice fishing shall not be allowed on any lake, pond, reservoir or stream within an aquaculture facility.

- B Swimming: Except by special permit issued by the City Council, no person shall swim, bathe or wade in the waters of any fountain, pond, lake or stream not set aside for the purpose of swimming, bathing or wading or pollute the waters of any fountain, pond, lake, reservoir, or stream in any public park or playground. Domesticated animals are prohibited from swimming in any city park aquatic facility.

This section shall not apply to rescue efforts or the care and maintenance of aquaculture facilities.

- C Floatation Devices: Motorized Boats or Floatation Devices: No person shall ride in or drive any motorized boat upon any lake, pond or stream within said aquaculture facilities. This shall not apply, however, to motorized boats used within the park by officers or employees of the City or of the Department of Wildlife Resources in the performance of their official duties in the care and clean-up of the facilities. Self propelled boats, which are limited to small row boats (12 feet or less), float tubes, kick boats (pontoon boats), kayaks, paddle boats, and canoes will be allowed within said aquaculture facilities. In accordance with Utah Law, all boats are required to have at least one Type 1, 2, 3, or 5 U.S. Coast Guard approved personal floatation device (life jacket) of proper size, in serviceable condition, and each person aboard any boat shall wear a personal floatation device at all times. All personal floatation devices must be used in accordance with the age, weight, activity, and use restrictions listed on the U.S. Coast Guard approval label.
- D Model Boating: No person shall engage in model boating in, on or upon the waters of any aquaculture facility in the city of Syracuse.
- E Aquatic Animals: No person is to put in or around any lake, pond or stream any type of non-native or domesticated fish, frog, or any other kind of amphibian or aquatic animal including, but not limited to, goldfish, frogs, lizards, snakes, etc. (Ord. 06-05) (Ord. 06-21)

**4-07-210:**

**TRAILS:** Trails may be established along specified corridors within the city from time to time by the city council designating areas as such trails. After initial establishment of any trail, the city council shall thereafter have the right to terminate such areas as trails upon majority of vote of the City Council. (Ord. 12-07)

Designated trails located within the city shall be maintained by the city. Such maintenance shall include mowing, watering and providing general maintenance to vegetation and facilities located within the designated trail areas pursuant to a maintenance plan and schedule determined by the city.

Trails established for pedestrian and non-motorized vehicle usage shall generally be subject to all parks regulations. To ensure the safety and enjoyment of citizen usage, protection of wildlife, and of the natural resources, the following restrictions shall apply to all trails within the City.

- A. No horses or other equestrian animals shall be allowed on any pedestrian trail. All dogs, cats or other pets shall be on leash no longer than six (6) feet long.

- B. No motorized vehicles shall be allowed except for medical and regulatory agencies, i.e., police, animal control, maintenance and construction vehicles approved by the City.
- C. No Consumption of alcoholic beverages and/or drug usage, possession, or sale shall be allowed on any trail. It is forbidden to operate a bicycle under the influence of drugs or alcohol on any trail.
- D.
- E Cyclists riding two abreast shall not impede the normal movement of trail pedestrians and shall be subject to riding within a single lane. Cyclists shall maintain a safe speed along trails and shall be able to stop bicycles within 25 feet from a speed of 10 miles per hour on dry, level, clean pavement. Persons riding bicycles, skateboards, and roller blades shall yield to pedestrians.
- F No marking, disfiguring, or tampering with the trail surface or its surrounding area shall be permitted without consent from the City.
- G. All trail users shall obey Trail signs posted. No individual shall post signs upon any trail.
- H No trail user shall, under any circumstance, be permitted to impede or obstruct a trail right-of-way.

**4-07-220:**

**EQUESTRIAN PARK:** The City's Equestrian Park shall be used mainly for activities involving horses and other domesticated animals. The City shall govern the use of the Equestrian Park and may prohibit specific activity uses. In addition to regulations for all parks generally, the following regulations shall be enforced at the Equestrian Park:

- A. The park may be used on a "first come, first served" basis unless prior reservations have been approved by an individual or group at the City Office.
- B. Users of the Equestrian park shall assume full liability for injury or damages of any nature that may occur to animals, people or property while using the Equestrian Park and shall hold the City harmless from any and all incidents, injuries, damages or occurrences that may arise out of the use of the rodeo grounds, the conduct of users agents, employees or members of users organizations, the presence, movement or operation of users vehicles and/or trailers, and the animals present at the rodeo arena.
- C. Users of the park shall not keep, maintain, or leave any personal property at the Park without the written consent of the City, and without paying additional fees as established by the City Council.
- D No animals shall be allowed to run free outside of the Equestrian Park boundaries.
- E. As with all other parks, possession, sale, or consumption of alcoholic beverages and dangerous or narcotic drugs, or gambling of any kind, is prohibited at the Equestrian Park.

F Use of the Park for Demolition Derbies is prohibited.

## CHAPTER 8

### ILLICIT DISCHARGE AND EROSION CONTROL

#### Administration and enforcement

4-08-010:	<b>Purpose</b>
4-08-020:	<b>Definitions</b>
4-08-030:	<b>Applicability</b>
4-08-040:	<b>Administration</b>
4-08-050:	<b>Severability</b>
4-08-060:	<b>Ultimate Responsibility</b>
4-08-070:	<b>Prohibitions</b>
4-08-080:	<b>Illicit Discharges</b>
4-08-090:	<b>Erosion Control on Construction Sites</b>
4-08-100:	<b>Post Construction</b>
4-08-110:	<b>Storm Water Design Criteria</b>
4-08-120:	<b>Notice of Illicit Discharge</b>
4-08-130:	<b>Enforcement, Violation and Penalties</b>

- 4-08-010:** **PURPOSE.** The purpose of this ordinance is to protect the health, safety and welfare of Syracuse City and its inhabitants by improving the City's storm sewer system, managing and controlling storm water run-off, protecting property, preventing polluted water from entering the City's storm water system and other receiving waters to the maximum extent practicable as required by federal and state law. The objectives of this ordinance are:
- A. To regulate the contribution of pollutants to the City's storm sewer system by storm water discharges by any user;
  - B. To prohibit illicit connections and discharges to the City storm water system;
  - C. To guide, regulate and control the design, construction, use, and maintenance of any development or other activity that results in the movement of earth on land within the City;
  - D. To minimize increases in non-point source pollution caused by storm water run-off from development which would otherwise degrade local water quality;
  - E. To reduce the amount of storm water run-off, soil erosion and non-point source pollution, wherever possible, through storm water management controls and to ensure that these management controls are properly maintained and pose no threat to public safety;
  - F. To establish a viable and fair method of financing the construction management, operation and maintenance of the storm sewer system;
  - G. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this ordinance; and
  - H. To establish a penalty procedure for violation(s) of this code. (Ord. 06-06)
- 4-08-020:** **DEFINITIONS.** For the purposes of this ordinance, the following shall mean:

**Authorized Enforcement Agency:** The City Public Works Director (PWD) and/or any individual designated by the PWD as an Authorized Enforcement Agent designated to enforce this ordinance.

**Berm:** An earthen mound used to direct the flow of run-off around or through a structure.

**Best Management Practices (BMPs):** Includes schedules of activities, prohibitions of practices, maintenance procedures, design standards, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly into the waters of the United States. BMPs also include treatment requirements, operating procedures, educational activities, and practices to control plant site run-off spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**City:** Means Syracuse City, Davis County, Utah with associated jurisdiction.

**Clean Water Act:** The federal Water Pollution Control Act enacted by Public Law 92-500 as amended by Public Laws 95-217, 95-576, 96-483, and 97-117, enacted at 33 U.S.C. § 1251 et seq., and any subsequent amendments thereto.

**Construction Activity:** Activities subject to the National Pollutant Discharge Elimination System, (NPDES) Construction Permits. These include construction projects resulting in land disturbance of **one acre** or more. Such activities include, but are not limited to, clearing and grubbing, grading, excavating, and demolition.

**Conveyance System:** Any channel or pipe for collecting and directing the storm water.

**Culvert:** A covered channel or large diameter pipe that directs water flow below the ground surface.

**Degradation:** (Biological or Chemical) The breakdown of chemical compounds into simpler substances, usually less harmful than the original compound, as with the degradation of a persistent pesticide. (Geological) Wearing down by erosion. (Water) The lowering of the water quality of a watercourse by an increase in the amount of pollutant(s).

**Detention:** Storm water detention is temporary storage of a storm water runoff volume for subsequent release. Examples include detention basins, underground vaults, tanks or pipes, as well as temporary detention in parking lots, depressed grassy areas, etc.

**Detention Basin:** A depression to detain or slow down the flow of storm water until downstream facilities has sufficient flow capacity to handle the flow. A detention basin consists of an inlet, an outlet, the storage basin itself, and piping between. The intent of the design of the basin and its improvements are that it is to be designed and improved in such a way as to be an asset to the neighborhood and community.

**Development:** Any man-made change to the land, including but not limited to, site preparation, filling, grading, paving, excavation, and construction of building(s) or other structures.

**Dike:** An embankment to confine or control water, often built along the banks of a river to prevent overflow of lowlands; a levee.

**Discharge:** The release of storm water or other substance from a conveyance system or storage container.

**Disturb:** To alter the physical condition, natural terrain, or vegetation of land by clearing, grubbing, excavating, filling, building, or other construction activity.

**Drainage:** Refers to the collection, conveyance, containment, and/or discharge of surface and storm water run-off.

**Drain Inlet:** A point of discharge into a detention or retention basin, or pipe system, or ditch or channel.

**Drain Outlet:** A point of exit from a detention or retention basin, or pipe system, or ditch or channel.

**Erosion:** The wearing away of land surface by wind, water, ice, gravity, or mechanical processes, including vehicular traffic. Erosion occurs naturally from weather or run-off but can be intensified by land-clearing practices related to farming, residential or industrial development, road building, clearing of vegetation, or recreational activities including OHV use, hiking, equestrian, etc.

**Fill:** A deposit of earth material placed by artificial means.

**First Flush:** The delivery of a disproportionately large load of pollutants during the early part of storms due to the rapid run-off of accumulated pollutants.

**City Storm Water Activity Permit:** A City required permit, issued to any person or business that intends to disturb more than one acre of property.

**General State Construction Storm Water Permit:** A State required permit issued to any person or business that intends to disturb more than one acre of property.

**General Permit:** A Federal, or State permit issued under the NPDES to allow storm water discharges to waters of the United State.

**Grading:** The cutting and/or filling of the land surface to a desired slope or elevation.

**Hazardous Waste:** By-products of society that can pose a substantial or potential hazard to human health or the environment when improperly managed. Possesses, at least, one of four characteristics (flammable, corrosivity, reactivity, or toxicity), or appears on special Environmental Protection Agency (EPA) lists.

**Heavy Metals:** Metals of high specific gravity, present in municipal and industrial wastes that pose long-term environmental hazards. Such metals include cadmium, chromium, cobalt, copper, lead, mercury, nickel, and zinc.

**Illegal Discharge:** Any direct or indirect non-storm water discharge to the storm drain system, except discharges from fire fighting activities and other discharges exempted in this ordinance.

**Illicit Connection:** Any physical connection to a publicly maintained storm drain system allowing discharge of non-storm water which has not been permitted by the public entity responsible for the operation and maintenance of the system.

**Impervious Surface:** A surface which prevents or retards the penetration of water into the ground including, but not limited to, roofs, sidewalks, patios, driveways, parking lots, concrete and asphalt paving, gravel, compacted native surfaces and earthen materials,

and oiled, macadam, or other surfaces which similarly impede the natural infiltration of storm water.

**Individual Permit:** A permit issued under the NPDES program for a specific facility, whereby the unique characteristics of that facility may be addressed through the imposition of special conditions or requirements.

**Infiltration:** The downward movement of water from the surface to the subsoil. The infiltration capacity is expressed in terms of inches/hour.

**Ingress/Egress:** The points of access to and from a property.

**Inlet:** An entrance into a ditch, storm sewer, or other waterway.

**Land Disturbing Activity:** A human induced change to improved or unimproved land, including, but not limited to, new home or building construction, expansion of an existing building or home, demolition activity, clearing, grubbing, leveling, excavation, fill operations, grading, trenching, landscaping, drainage, pipe installation, drilling, mining, dredging, road construction or improvement, paving, and improvements for use as parking or storage.

**Municipal Separate Storm Sewer System (MS4):** A municipally owned and operated storm water collection system that consists of any or all of the following: curb & gutter, drainage swales, piping, ditches, canals, detention basins, inlet boxes, or any other system used to convey storm water that discharges into canals, ditches, streams, or lakes not owned and operated by the City.

**Mulch:** A natural or artificial layer of plant residue or other materials covering the land surface which conserves moisture, holds soil in place, aids in establishing plant cover, and minimizes temperature fluctuations.

**Non-point Source:** Pollution caused by diffuse sources (not a single location such as a pipe) such as agricultural or urban run-off.

**NPDES (National Pollutant Discharge Elimination System):** EPA's program to control the discharge of pollutants to waters of the United States.

**NPDES Permit:** An authorization, or license, or equivalent control document issued by EPA or an approved state agency to implement the requirements of the NPDES program.

**Off-site:** Any area lying upstream of the site that drains onto the site and any area lying downstream of the site to which the site drains.

**On-site:** The entire property that includes the proposed development.

**Outfall:** The point, location, or structure where wastewater or drainage discharges from a sewer pipe, ditch, or other conveyance to a receiving body of water.

**Point Source:** Any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, platform, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged.

**Plat:** A map or representation of a subdivision showing the division of a tract or parcel of land into lots, blocks, streets, or other divisions and dedications.

**Pollutant:** Generally, any substance introduced into the environment that adversely affects the usefulness of a resource. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coli form and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

**Public Works Department:** Shall be the Syracuse City Public Works Department.

**Receiving Waters:** Bodies of water or surface water systems that receive water from upstream constructed (or natural) systems.

**Retention:** The holding of run-off in a basin without release except by means of evaporation, infiltration, or emergency bypass.

**Retention Basin:** A depression in the land designed to retain water from flowing downstream. A retention basin does not allow for any downstream flow, other than overland if the capacity of the basin is exceeded. Such a facility allows only for the storage of a fixed amount of water, and is not normally allowed within the City's storm drain system.

**Riparian:** A relatively narrow strip of land that borders a stream or river.

**Riprap:** A combination of large stone, cobbles and boulders used to line channels, stabilize banks, reduce run-off velocities, or filter out sediment.

**Run-on:** Storm water surface flow or other surface flow which enters property other than that where it originated.

**Run-off:** That part of precipitation, snow melt, or irrigation water that runs off the land into streams or other surface water. It can carry pollutants from the air and land into the receiving waters.

**Sedimentation:** The process of depositing soil particles, clays, sands, or other sediments that were picked up by run-off.

**Sheet Flow:** Run-off which flows over the ground surface as a thin, even layer, not concentrated in a channel.

**Source Control:** A practice or structural measure to prevent pollutants from entering storm water run-off or other environmental media.

**Stabilization:** The proper placing, grading and/or covering of soil, rock, or earth to ensure its resistance to erosion, sliding, or other movement.

**Storm Drain:** A slotted opening leading to an underground pipe or open ditch for carrying surface run-off.

**Storm Drain System:** A system of surface and underground conveyance, consisting of curb and gutter, street surface, inlet and clean-out boxes, piping, open channels and detention basins, ditches, channels, storm drains, owned and operated by the City or private owners, which is designed and used to convey or collect storm water.

**Storm Water:** Rainfall run-off, snow melt run-off, and drainage. It excludes infiltration.

**Storm Water Pollution Prevention Plan:** A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to storm water, storm water conveyance systems, and/or receiving waters. This plan must be prepared prior to obtaining a general state or county construction storm water permit.

**Swale:** An elongated depression in the land surface that is at least seasonally wet, is usually heavily vegetated, and is normally without flowing water. Swales direct storm water flows into primarily drainage channels and allow some of the storm water to infiltrate into the ground surface.

**Treatment Control BMP:** A BMP that is intended to remove pollutants from storm water.

**Waters of the State:** Surface waters and ground waters within the boundaries of the State of Utah and subject to its jurisdiction.

**Waters of the United States:** Surface watercourses and water bodies as defined in Title 40 Part 122.2 of Code of Federal Regulation (CFR) including all natural waterways and definite channels and depressions in the earth that may carry water, even though such waterways may only carry water during rains and storms and may not carry storm water at and during all times and seasons.

**Wetlands:** An area that is regularly saturated by surface or ground water and subsequently characterized by a prevalence of vegetation that is adapted for life in saturated soil conditions. Examples include, but are not limited to, swamps, bogs, marshes, and estuaries.

**4-08-030: APPLICABILITY.** This ordinance shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

**4-08-040: RESPONSIBILITY OF ADMINISTRATION.** The Syracuse City Public Works Department shall administer, implement, and enforce the provisions of this ordinance. Any powers granted or duties imposed upon the authorized enforcement agency may be delegated in writing by the Director of Public Works to persons or entities acting in the beneficial interest of or in the employ of the agency.

**4-08-050: SEVERABILITY.** The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

**4-08-060: ULTIMATE RESPONSIBILITY.** The standards set forth herein and promulgated pursuant to this ordinance are minimum standards; therefore, this ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

**4-08-070: PROHIBITIONS.**

- A. No vehicle shall be driven or moved on any street, highway or other public place unless such vehicle is so constructed, loaded or covered as to prevent any of its load from dropping, sifting, leaking or otherwise escaping there from, except that sand or other substances may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining such roadway for the travel of the general public.
- B. No vehicle loaded with garbage, waste paper, ashes, refuse, trash, rubbish, waste, wire, paper, cartons, boxes, glass, solid waste, scrap metal, or any other material of an unsanitary nature that is susceptible to blowing or bouncing from a moving vehicle shall be driven or moved on any street or other public place unless the load is covered with a sufficient cover to prevent the load or any part of the load from spilling onto the street or other public place.
- C. No person shall operate any vehicle so as to track or drop mud, stones, dirt, concrete, gravel or other similar material onto public streets by construction or delivery vehicles. It shall be the duty of the driver of a vehicle who unlawfully drops or deposits mud, stones, concrete, gravel or other similar material or permits the load or any portion thereof to be dropped or deposited upon any street or other public place to immediately remove the same or cause it to be removed. It shall be the duty of the driver of any vehicle to clean the tires and vehicle undercarriage of dirt or debris before the vehicle enters onto a paved surface public right of way.
- D. No person shall discharge waste concrete or concrete truck rinse water except into pre-approved discharge facilities or designated areas. Dumping of excess concrete shall not be allowed.
- E. Stockpile construction or yard improvement materials or debris in the street or in the gutter unless being stored in a self-contained storage unit that has been pre-approved by the Public Works Department. This includes, but is not limited to, ramps being constructed for temporary access across the existing curb and gutter; stockpiling of topsoil or other fill material; stockpiling of sand, gravel, landscape rock, bark, mulch or any other material that may be considered a source of pollution to the storm water system.

**4-08-080: ILLICIT DISCHARGES.** No person shall discharge or cause to be discharged into the City storm drain system or watercourses any materials including, but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards other than storm water.

- A. The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:
  - (1) Water line flushing or other potable water sources;
  - (2) Landscape irrigation or lawn watering;
  - (3) Diverted stream flows;
  - (4) Rising ground water;

- (5) Ground water infiltration to storm drains;
  - (6) Uncontaminated pumped ground water;
  - (7) Foundation or footing drains (not connected to floor drains);
  - (8) Crawl space sump pumps;
  - (9) Air conditioning condensation;
  - (10) Springs;
  - (11) Non-commercial washing of vehicles;
  - (12) Natural riparian habitat or wetland flows;
  - (13) Swimming pools (if de-chlorinated – typically less than one PPM chlorine);
  - (14) Fire fighting activities, and any other water source not containing pollutants;
  - (15) Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety.
- B. Dye testing is an allowable discharge, but requires a verbal notification to the authorized enforcement agency prior to the time of the test.
- C. The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.
  - D. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection. This prohibition also expressly includes, without limitation, connections of sanitary sewer lines to the MS4. (Ord. 06-06)

**4-08-090:**

**Erosion Control on Construction Sites.**

A. City Storm Water Activity Permit

- (1) Any person or business responsible for disturbing one acre or more of ground shall obtain a City Storm Water Activity Permit from the Syracuse City Public Works Department. Syracuse City will comply with the requirements for the Clean Water Act phase II, and all other State and Federal regulations. This is to include applications, permits, plans and implementation. No person shall be granted a storm water activity permit for land-disturbance that would require the uncovering of 1 acre or more without the approval of a Storm Water Pollution Prevention Plan by the Syracuse City Public Works Department.
  - (a) Syracuse City Storm Water Activity Permit – This permit can be obtained from the City Public Works department with building permits or with the subdivision approval prior to the preconstruction meeting for the proposed development. All projects and sites with a total plan to effect greater than 1.0 acre of land must apply. Additionally, before connecting to an existing storm

drain system (ditches, pipes, catch basin, boxes, manholes, etc.) the developer/contractor shall obtain a Storm Water Activity permit from the City Public Works Department. All basins shall be calculated, designed and stamped by a Licensed Professional Engineer. Any appropriate fees must be paid.

- (b) Utah Pollution Discharge Elimination System (UPDES) Permit – This permit is filed with the Utah Division of Water Quality, Department of Environmental Quality. The permit can be obtained from the internet at: <http://waterquality.utha.gov/updes/stormwater.htm> All sites with a total plan to effect greater than 1.0 acre of land must apply. The appropriate fee must be paid to the state. A Storm Water Pollution Prevention Plan (SWPPP), or Erosion Control Plan or Pollution Prevention Plan) must be prepared and on site for this application. A minimum requirement for approval is possession of an active BMP plan for the proposed project. (Ord. 12-07)
- (c) Stream Alteration Permit – A Stream Alteration Permit is filed with State Department of Natural Resources, Division of Water Rights. This permit overlaps the 404 wetlands permit because it is applicable to the area equal to the stream plus two times the bank full width up to 30 feet. Any modifications to the stream or banks within this area must comply with the Stream Alteration Permit.
- (d) EPA 404 Wetlands Permit – This permit is filed with the US Army Corp of Engineers. It is applicable for all wetlands within a development. This will apply to all wetlands depending upon the presence of water, soils type, and vegetation as determined in a Wetlands Delineation Report. All “waters of the US” are affected to the normal high water mark. No fee is typically required for this permit. A letter of non-regulated wetlands may be applicable. Any mitigation that may be required must be done prior to recording a Final Plat.

(2) Each City Storm Water Activity permit application shall bear the name and address of the owner or developer of the site, and of any consulting firm retained by the applicant together with the name of the applicant’s principal contact at such firm and shall be accompanied by a filing fee established by resolution of the City Council.

(3) The applicant must also obtain a general state construction storm water permit from the Department of Environmental Quality, Division of Water Quality.

(4) A City Storm Water Activity Permit is not required for the following activities:

- (a) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
- (b) Existing nursery and agricultural operations conducted as a permitted main or accessory use.

B. Application Review Fees: The fee for review of the construction storm water permit shall be based on the amount of land to be disturbed at the site, and the fee structure shall be established from time to time by resolution of the Syracuse City Council. All of the monetary fees shall be credited to a local budgetary category to support local

plan review, inspection and program administration, and shall be made prior to the issuance of any building permit or construction activity for the development.

- C. Waivers for Providing Storm Water Pollution Prevention Plan: Every applicant shall provide for storm water pollution prevention plan as required by this ordinance, unless a written request is filed to waive this requirement. Requests to waive the storm water pollution prevention plan requirements shall be submitted to the Public Works Department for approval.

(1) The minimum requirements for storm water pollution prevention plan may be waived in whole or in part upon written request of the applicant, provided that at least one of the following conditions applies:

- (a) It can be demonstrated that the proposed development is not likely to impair attainment of the objectives of this ordinance.
- (b) Alternative minimum requirements for on-site management of storm water discharges have been established in a storm water pollution prevention plan that has been approved by the Public Works Department and the implementation of the plan is required by local ordinance.
- (c) The Public Works Department finds that meeting the minimum on-site pollution prevention plans are not feasible due to the natural or existing physical characteristics of a site.
- (d) Non-structural practices will be used on the site that reduces:
  - (i) The generation of storm water from the site;
  - (ii) The size and cost of storm water storage; and
  - (iii) The pollutants generated at the site.

The amount of credit available for using such non-structural practices shall be determined by the Public Works Department.

(2) In instances where one of the conditions above applies, the Public Works Department may grant a waiver from compliance with these storm water pollution prevention plans, as long as acceptable mitigation measures are provided. However, to be eligible for a variance, the applicant must demonstrate to the satisfaction of the Public Works Department that the variance will not result in the following impacts to downstream waterways:

- (a) Deterioration of existing culverts, bridges, dams, and other structures;
- (b) Degradation of biological functions or habitat;
- (c) Accelerated stream bank or streambed erosion or siltation;
- (d) Increased threat of flood damage to public health, life, property.

- D. Storm Water Management Plan

(1) A Storm Water Management Plan shall be required with all permit applications and will include sufficient information (e.g., maps, hydrologic calculations, etc) to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing storm water generated at the project site. The intent of this planning process is to determine the type of storm water management measures necessary for the proposed project, and ensure adequate planning for management of storm water run-off from future development. The Storm Water Management Plan shall be prepared in accordance with a checklist provided by the Public Works Department.

(2) For development or redevelopment occurring on a previously developed site, an applicant shall be required to include within the storm water management plan measures for controlling existing storm water runoff discharges from the site in accordance with the standards of this Ordinance to the maximum extent practicable.

E. Review and Approval

(1) The Public Works Department will review each application to determine its conformance with the provisions of this regulation. Within 30 days after receiving an application, the Public Works Department shall, in writing:

- (a) Approve the permit application;
- (b) Approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation, and issue the permit subject to these conditions; or
- (c) Disapprove the permit application, indicating the reason(s) and procedure for submitting a revised application and/or submission.

(2) Failure of the Public Works Department to act on an original or revised application within the specified time period shall authorize the applicant to proceed with the plans as filed unless such time is extended by agreement between the applicant and the Public Works Department.

F. Inspection: Field inspections shall be conducted by the Syracuse City Public Works Department, the City Ordinance Enforcement Officer or other designated agent as outlined in the inspection checklist provided by the Public Works Department.

G. As Built Plans: All applicants are required to submit actual "as built" plans for any storm water management practices located on-site after final construction is completed. The plan must show the final design specifications for all storm water management facilities and must be certified by a professional engineer. A final inspection by the Syracuse Offsite Improvement Inspector and the Public Works Department is required before the release of any performance securities can occur.

**4-08-100: Post Construction.** Unless judged by the Syracuse City Public Works Department to be exempt or granted a waiver, the following performance criteria shall be addressed for storm water management at all sites:

- A. All site designs shall establish storm water management practices to control the peak flow rates. Transmission pipes shall be designed to accommodate a ten year, one hour storm, and regional detention basins shall be designed to facilitate a 100 year, one hour storm, with a 0.2 cfs per acre discharge and local on-site detention basins shall be designed to facilitate a 50 year, one hour storm. These practices should seek to utilize pervious areas for storm water treatment and to infiltrate storm water run-off from driveways, sidewalks, rooftops, parking lots, and landscaped areas to the maximum extent practical to provide treatment for both water quality and quantity. (Ord. 12-07)
  
- B. All storm water run-off generated from new development shall not discharge untreated storm water directly into a jurisdictional wetland or waters of the state without adequate treatment. In no case shall the impact on functional values be any greater than that allowed by the Army Corp of Engineers (ACE) or the Department of Environmental Quality (DEQ) responsible for natural resources.
  
- C. Annual groundwater recharge rates shall be maintained by promoting infiltration through the use of structural and non-structural methods. At a minimum, annual recharge from the post development site shall mimic the annual recharge from pre-development site conditions.
  
- D. For new development, structural best management practices (BMP's) shall be designed to remove 75% of the average annual post development total suspended solids load (TSS). It is presumed that a structural treatment practice complies with this performance standard if it is:
  - (1) Sized to capture the prescribed water quality volume (WQV);
  - (2) Designed according to the specific performance criteria outlined in the American Public Works Association Manual;
  - (3) Constructed properly; and
  - (4) Maintained regularly.
  
- E. Storm water discharges to critical areas with sensitive resources (i.e., cold water fisheries, shellfish beds, swimming beaches, recharge areas, water supply reservoirs) may be subject to additional performance criteria, or may need to utilize or restrict certain storm water management practices.
  
- F. Storm water discharges from land uses or activities with higher potential pollutant loadings, known as "hotspots," may require the use of specific structural BMPs and pollution prevention practices. Oil separators shall be required on all sites greater than one acre identified as "hotspots" such as commercial land use sites, parking areas other than residential, mechanic shops, fuel stations, or associated parking areas. Oil separators must be capable of removing particulates down to 150 microns. Design and sizing requirements of oil separators shall be reviewed by the City Engineer prior to installation. (Ord. 12-07)

**4-08-110: Basic Storm Water Management Design Criteria.**

A. Site Design Feasibility: Storm water management practices for a site shall be chosen based on the physical conditions of the site. Among the factors that should be considered:

- (1) Topography
- (2) Maximum Drainage Area
- (3) Depth to Water Table
- (4) Soils
- (5) Slopes
- (6) Ground cover
- (7) Location in relation to environmentally sensitive features or ultra-urban areas

B. Conveyance Issues: All storm water management practices shall be designed to convey storm water to allow for the maximum removal of pollutants and reduction in flow velocities. This shall include, but not be limited to:

- (1) Maximizing of flow paths from inflow points to outflow points
- (2) Protection of inlet and outfall structures
- (3) Elimination of erosive flow velocities
- (4) Providing of under drain systems, where applicable

C. General Policy: It is the general policy of the City to design storm water facilities as:

- (1) Storm water conveyance pipe @ 10 year design standard
- (2) Non-regional detention basin capacity @ 50 year design standard
- (3) Regional detention basin capacity @ 100 year design standard

Local storm drain pipes and inlet structures shall be designed to convey the storm waters of a 10-year event totally within an underground pipe system. The storm water piping shall handle the 10-year event. All storm water calculations for detention shall be detailed to show that the entire area in consideration shall meet the requirement of .2 cfs discharge per acre developed established by Davis County Public Works, any storm water in excess of this requirement shall be detained.

D. Intensity-Duration-Frequency Curve IDF: For the use of the Rational Formula, in determining calculations for a storm, the IDF curve available for the area closest to the City of Syracuse shall be used.

E. Basin Construction and Design Criteria

- (1) The location of the basin shall be such that convenient access for maintenance is possible. This generally means that local access is available to a dedicated roadway, any easements are provided by the owner of the property in question.

In addition, volume in adjacent swales or ditches shall not be considered a portion of the storage system.

- (2) The side slopes to all basins shall not exceed 3:1 (3 horizontal feet to 1 foot vertical elevation rise) slope, with 4.5:1 being desirable, for the ease of maintenance and mowing.
  - (3) The bottom slope shall be designed to prevent permanent stagnation of water, and shall be minimum of 2% from inlet to outlet. The City may request additional low flow elimination remedies during the subdivision warranty period if stagnation of nuisance water occurs.
  - (4) The basin freeboard shall be a minimum of one foot (top of berm or surface to high water mark of overflow outlet).
  - (5) The spillway shall be designed to overflow onto a City street or other channel with the capacity to contain and carry the overflow to an approved outlet. Said path to either a street or channel shall be within a maintained area, improved to allow flows without erosion, and within a drainage easement. All spillways shall be designed to protect adjacent embankments, structures or properties, and shall not present flooding potential to adjacent structures or homes.
  - (6) The outlet control for all small, localized basins may have fixed, size-calculated orifice plates, capable of being replaced if necessary, mounted on the outlet of the basin, as approved by the City Engineer. Large, regional basins shall be designed to have either fixed or screw-type gates installed to allow for adjustment by City Personnel, if necessary. The screw-gates shall be Waterman C-10 O.A.E. or City Engineer approved equal.
  - (7) All grates shall be designed with hot-dipped galvanized (not painted) metal grates, with bars at spacing to prevent or prohibit children's feet from falling in the structure, and still avoiding clogging with debris. Bar spacing shall never exceed 3" in any direction.
  - (8) Low flows shall be designed to flow through the basin in a pipe designed to carry a 1 year frequency flow. A concrete gutter shall not alternate to the pipe system. The pipe size and material shall be a minimum 15"-inch.
  - (9) The finish ground cover shall be either lawn sod or other landscaping, unless an alternate is approved by the City Council. A minimum 4"-inches of top soil shall be installed prior to the area being sodded. If an alternate of weed barrier geotextile fabric and cobbles is approved by the City Council, a minimum size of 6"-inch cobble rock is required.
  - (10) Basins shall be designed to allow vehicle access for maintenance by City Personnel.
- F. Maintenance Agreements: All storm water treatment practices shall have an enforceable operation and maintenance agreement to ensure the system functions as designed.
- (1) This agreement will include any and all maintenance easements required to access and inspect the storm water treatment practices, and to perform routine

maintenance as necessary to ensure proper functioning of the storm water treatment practice. The agreement shall include provisions allowing for access and inspections on a reasonable basis. In addition, a legally binding covenant specifying the parties responsible for the proper maintenance of all storm water treatment practices shall be secured prior to issuance of any permits for land disturbance activities.

- (2) If a responsible party fails or refuses to meet the requirements of the maintenance agreement, the Public Works Department, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the storm water management facility becomes a danger to public safety or public health, the Public Works Department shall notify the party responsible for maintenance of the storm water management facility in writing. Upon receipt of that notice, the responsible person shall have 30 days to effect maintenance and repair of the facility in an approved manner. After proper notice, the Public Works Department may assess the owner(s) of the facility for the cost of repair work and any penalties; and the cost of the work shall be a lien on the property, or prorated against the beneficial users of the property, and may be placed on the tax bill and collected as ordinary taxes by the county assessor.

**4-08-120: Notification of Spills.** Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or water of the U.S. said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the authorized enforcement agency in person or by phone or facsimile or email no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Syracuse City Public Works Dept., within three business days of the notice. (Ord. 12-07)

**4-08-130: Enforcement, Violation and Penalties.**

- A. Stop-Work Order; Revocation of Permit: In the event that any person holding a City Storm Water Activity permit pursuant to this ordinance violates the terms of the permit or implants site development in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in the neighborhood or development site so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the Public Works Department may suspend or revoke the site development permit, such that no work on storm water infrastructure shall be preformed or approved.
- B. Violation and Penalties: Whenever the Public Works Department finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance, Syracuse City Public Works Department may order compliance by written notice of violation to the responsible person. Such notice may require, without limitation:
  - (1) The performance of monitoring, analyses, and reporting;
  - (2) The elimination of illicit connections or discharges;

- (3) That violating discharges, practices, or operations shall cease and desist;
- (4) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
- (5) Payment of a fine to cover administrative and remediation costs; and
- (6) The implementation of source control or treatment BMPs.

Any person violating any of the provisions of this ordinance shall be deemed guilty of a Class B misdemeanor and each day during which any violation of any of the provisions of this ordinance is committed, continued, or permitted, shall constitute a separate offense.

## CHAPTER 9

### LAND DRAINS

- 4-09-010: Purpose
- 4-09-020: Recognition of the Land Drain System
- 4-09-030: Surface Drainage Systems Connection Prohibition
- 4-09-040: Connection Standards for Land Drain Connections

**4-09-010: PURPOSE.** The purpose of this Chapter is to protect public health and safety of the City and its inhabitants through regulations governing the utilization of land drain systems and connections to the City land drain system. (Ord. 08-05)(Ord. 08-09)

**4-09-020: RECOGNITION OF THE LAND DRAIN SYSTEM:** Syracuse City has constructed and established a land drain system for the purpose of draining subsurface waters from developing properties. Syracuse City Council hereby finds and determines that the land drain system is and has been a City operated utility and that connections to the land drain system have been regulated by the City for the protection of public health and safety and that such regulation continues to be necessary for the preservation of public health and safety and property values within the City. Therefore, all connections to the land drain system within Syracuse City, whether previously established or otherwise, shall comply with the provisions and regulations of this Chapter. However, nothing herein shall be construed to require authorized connections to be retrofit to meet new construction standards. The retroactive application of this ordinance shall be limited to the required disconnection of surface drainage systems or other surface collection conduits and appurtenances to the land drain system. (Ord. 08-05)(Ord. 08-09)

**4-09-030: SURFACE DRAINAGE SYSTEMS CONNECTION PROHIBITED.** Roof drainage structures, storm gutters, or other above-ground collection conduits ("Surface Drainage systems") are prohibited from connecting to or discharging storm water into City underground land drains. New residential dwellings constructed within subdivisions containing a land drain system are required to make a connection via a sub-surface service lateral stubbed to the dwelling foundation footing and connected to the main land drain line owned by the City. This section is expressly intended to operate retroactively and to require the disconnection of any surface drainage systems connected to a land drain system. The Syracuse City Public Works Director is hereby empowered and authorized to require the disconnection of any surface drainage system connected to the Syracuse City land drain system. The Public Works Director is hereby authorized, in his discretion, to grant a waiver from the requirements of this Chapter where the Public Works Directors finds: (1) the connection of a surface drain to the land drain system does not present a surcharge or flooding risk to other properties; and (2) the owner signs a recordable agreement, in a form acceptable to the City, agreeing to indemnify and hold the City harmless for any future damages or liability arising from the connection of the surface drain to the land drain system. (Ord. 08-05) (Ord. 08-09)

**4-09-040: CONNECTION STANDARDS FOR LAND DRAIN CONNECTIONS.** Any connection to the Syracuse City land drain system shall be authorized and approved by the Syracuse City Public Works Department and Syracuse City Building Department and shall comply with construction standards and regulations set forth in the Appendix to Title VIII of the Syracuse City Municipal Code. (Ord. 08-05)(Ord. 08-09)

## CHAPTER 10

### HOUSEHOLD AND GREEN WASTE RECYCLING

- 4-10-010: Definitions
- 4-10-020: Collection of household and green waste
- 4-10-030: Service charge
- 4-10-040: Method of payment of service charges
- 4-10-050: No accumulation of household and green waste
- 4-10-060: Containers
- 4-10-070: Closing of garbage containers required
- 4-10-080: Time and place of pickup
- 4-10-090: Disposal of community waste
- 4-10-010: Burning of refuse prohibited
- 4-10-011: Dumping household and green waste prohibited
- 4-10-012: Limitations upon dumping
- 4-10-013: Regulations

**4-10-010: DEFINITIONS.** The following terms, as used in this Title, are defined as follows: (Ord. 10-05)

**BULKY WASTES:** Wastes that are not capable of being stored in the approved automated refuse containers and cannot be picked up by normally used collection vehicles, including items such as large tree branches, lawn sod, Christmas trees, etc.

**CONTAINER, APPROVED HOUSEHOLD AND GREEN WASTE CONTAINER:** Approved household and green waste containers shall consist of 90 or 100 gallon recycling containers constructed from cross linked, high-density polyethylene, or equivalent, designed specifically for automated collection equipped with wheels for easy movement by residential users and containing permanently attached, tight-fitting lids, or as approved by the City. (Ord. 12-07)

**COMMERCIAL SOLID WASTE, GREEN WASTE AND RECYCLABLE MATERIALS:** Garbage, rubbish, trash, food wastes, recyclable materials, green waste, etc., resulting from the normal and incidental activities of commercial users.

**COMMERCIAL USER:** An enterprise, not a residence, such as a business, association, corporation, manufacturer, hotel, motel, resort, commercial entity, church, governmental or public entity other than the City, etc.

**FOOD WASTES:** Animal, vegetable, or mineral matter derived from the preparation or packaging of foodstuffs

**GARBAGE, RUBBISH AND TRASH:** All solid waste except hazardous waste, including but not limited to combustibles such as paper, wood, yard trimmings, etc. and non-combustibles such as meal, glass, stone, etc.

**GREEN WASTE:** Those green waste materials which can be recovered or otherwise diverted from waste stream, such as lawn cuttings, clippings from bushes and shrubs, leaves, and other similar green yard waste, but not including dirt, rock, sod, or yard materials with thorns, as mutually agreed upon and determined by the contractor and the City. (Ord. 12-07)

**HAZARDOUS MATERIALS AND WASTE:** Materials and wastes that are hazardous by reason of their pathological, explosive, radiological, or toxic character, including any chemical, compound, mixture, substance or article which is designated by the United States

Environmental Protection Agency, the State of Utah Department of Environmental Quality, or Davis County Health Department to be "hazardous" as that term is defined by or pursuant to Federal, State or local law.

**HOUSEHOLD WASTE:** Materials discarded from commonly used household substances, not including dirt, rocks, sod, flammables, hot ashes, coals, or similar materials. (Ord. 12-07)

**NON-PROCESSIBLE WASTE.** Goods and materials which are not residential and/or are prohibited by the disposal facility, including, but not limited to, the following:

- (1) Any loads the majority of which consist of combustible material.
- (2) Hazardous waste of any kind.
- (3) Any material that when incinerated clearly includes electricity.
- (4) Explosives.
- (5) Medical or pathological wastes.
- (6) Animal or human body parts or remains.
- (7) Any materials the majority of which is liquid.
- (8) Large appliances.
- (9) Construction debris of un-processible proportions.
- (10) Large metal objects of any kind.
- (11) Large sealed containers of any kind.
- (12) Motor vehicles or related parts.
- (13) Any item exceeding two feet by two feet by five feet in dimensions.
- (14) Wood having a cross section exceeding nine inches or five feet in length.
- (15) Any material that is on fire; i.e., "Hot Load."
- (16) Commercial solid waste, as defined herein.
- (17) Hazardous materials and waste, as defined herein.
- (18) Bulky wastes, as defined herein.

**RECYCLABLE MATERIALS:** Those materials which can be recovered from or otherwise diverted from the waste stream for the purpose of recycling, such as metals, paper and plastics as mutually agreed upon and determined by the Contractor and the City.

**RESIDENCE:** An occupied dwelling unit such as a home, trailer, or multi-family dwelling of four (4) or less units, not including hotels or motels or mobile home trailer parks. Each unit of a multi-family dwelling shall be considered a separate residence for purposes of billing. A dwelling unit may be considered not occupied if the persons living therein are absent for over ninety (90) continuous days. Unless otherwise agreed to by the City and the Contractor,

residence shall not include dwelling units located within planned unit developments or other privately accessed developments accessible by private roadways, streets and driveways.

**RESIDENTIAL GREEN WASTE:** Green waste resulting from the normal and incidental activities of residences.

**RESIDENTIAL RECYCLABLE MATERIALS:** Recyclable materials resulting from the normal and incidental activities of residences.

**RESIDENTIAL SOLID WASTE.** Garbage, rubbish, trash, food wastes, etc. resulting from the normal and incidental activities of residences.

**4-10-020: COLLECTION OF HOUSEHOLD AND GREEN WASTE.** (Ord. 10-05)

1. Unless otherwise provided herein, the City, its agent, or contractor shall collect, remove, and dispose of all household waste and residential green waste recyclable materials. All household waste and residential green waste recyclable materials shall be collected, removed, and disposed of with such frequency and in such manner as the City Council may from time to time establish by regulation or contract. (Ord. 12-07)
2. Except as otherwise expressly permitted by this part, no household waste and green waste recyclable materials shall be removed or hauled away or transported upon the streets or public ways of the municipality except by the municipality, its agent, or contractor, and except by authorized persons hauling commercial green waste recyclable materials or household waste materials as hereinafter provided. (Ord. 12-07)
3. Nothing contained in this part shall preclude persons from hauling their own green waste recyclable materials over the streets and rights-of-ways of the municipality.
4. Except for those residences who have opted not to participate in the green waste recycling program in accordance with this Chapter, or those residences who have not signed up for green waste collection services in accordance with this Chapter, nothing in this part shall be construed as eliminating the charge made for residential solid waste and disposal services.

**4-10-030: SERVICE CHARGE.** (Ord. 10-05)

1. all residences within the municipality shall pay monthly service charges as more particularly set forth in the Fee Schedule as adopted by the City. The charges, rates, penalty fees for delinquency in payment, and other charges incidental, shall be set forth in the Fee Schedule and may be amended from time to time by the resolution of the City Council. An exception for green waste collection charges shall be made for those residences who have not signed up for green waste collection services in accordance with this chapter. (Ord. 12-07)
2. The Mayor, with the consent of the City Council, may excuse needy persons who are not reasonably capable of paying the monthly charge for residential collection of solid waste, green waste and/or recyclable materials from the payment of the residential rate for such period of time as may be deemed proper or necessary.
3. Participation in the City's green waste recycling program shall be on a voluntary basis. Residences desiring such service shall sign up in writing on forms provided by the City. Participants shall be required to participate in the program for at least six (6) months. Green waste containers may be used for solid waste disposal and collection from

December 1<sup>st</sup> through February 28<sup>th</sup> (or 29<sup>th</sup> in leap year) of every year. Green waste containers shall only be used for authorized green waste disposal and collection from March 1<sup>st</sup> through November 30<sup>th</sup> of each year.

**4-10-040: METHOD OF PAYMENT OF SERVICE CHARGES.** (Ord. 10-05)

1. The household waste and residential green waste recycling service charges above imposed by this part shall be added to the charge made for other utilities furnished through the municipality and shall be billed and collected in the same manner as those charges are billed and collected. (Ord. 12-07)

**4-10-050: NO ACCUMULATION OF HOUSEHOLD AND GREEN WASTE.** (Ord. 10-05)

1. It shall be unlawful for any person to accumulate household waste and green waste recyclable materials or cause said materials to be deposited upon any street or right-of-way. The City may permit the processing of green waste recyclable materials upon premises properly equipped and maintained so as to prevent the creation of a nuisance or a hazard to health or permit the depositing of ashes and other dry material for filling purposes at such places as the City may designate and under such restrictions as the City Council may by regulation impose. Additionally, the City may grant to any person permission for sorting, bailing, and marketing trade waste upon premises properly equipped and maintained. (Ord. 12-07)

**4-10-060: CONTAINERS.** (Ord. 10-05)

1. All residential household and green waste recyclable materials to be collected by the City, its agents or contractors, from residential users shall be placed only in suitable and sufficient garbage receptacles with tight-fitting lids.
2. Title to containers furnished by the City, its agents or contractors, to residential users, whether the right to the use thereof is paid in a lump sum or on a monthly basis, shall be retained by the City and the payment made by residents therefore shall be rental for the use thereof.
3. Users renting containers furnished by the City, or having custody thereof, shall keep the container free from destructive or decorative markings, shall maintain the original color thereof, and shall keep the inside of said containers clean and free from build-up of fungus or bacteria or any other type of contaminant that causes odors or facilitates deterioration of the inside or outside of such container.
4. Residential users shall report to the City, or authorized garbage hauler, any damage to or malfunctioning containers that limit their usefulness for receipt of waste so that the same may be returned to the supplier for repair or replacement pursuant to the supplier's warranty covering the same. (Ord. 12-07)
5. Containers lost or missing through no fault of the user thereof shall be replaced by the City without charge, but users shall exercise due care to protect containers against loss through theft or misappropriation. (Ord. 12-07)
6. Containers furnished by the City are issued to specific users by number and are non-transferable. Upon discontinuance of use by a resident, containers shall be returned to the City.

**4-10-070: CLOSING OF GARBAGE CONTAINERS REQUIRED.** Approved containers shall not be overfilled to the extent that the contents may be spilled during the process of pickup and dumping into the collection vehicle. All green waste materials not deposited for pickup shall be placed in approved containers and shall be tightly closed in such a manner as to prevent offensive odors or flies. (Ord. 10-05) (Ord. 12-07)

**4-10-080: TIME AND PLACE OF PICKUP.** (Ord. 10-05)

1. All household waste and green waste recyclable materials subject to collection by the City shall be placed on the edge of the street next to the driveway on the opposite side of the driveway approach from the mailbox, but in no event within ten (10) feet of the mailbox, and with the container's wheels as close to the curb as reasonably possible, with the hinge thereof to curbside and the lid opening facing toward the street. When snow or street construction prevents placing of the container against the curb, the container shall be placed not over two (2) feet from the edge of said snow or construction and in a manner that will not obstruct traffic or unduly impede the snowplowing activities of the City. (Ord. 12-07)
2. Containers shall not be placed or permitted to block driveways or through traffic.
3. Until otherwise provided by regulation, containers must not be set out upon the street for collection prior to the evening of the day before collection and must be set out prior to 6:00 a.m. on the day of collection. Waste containers that have been emptied shall be removed from the street right-of-way within 24 hours after containers are emptied. (Ord. 12-07)
4. It shall be unlawful to park a vehicle upon a public street within the City during the hours of solid waste and recycling service pickup on said street in a manner that interferes with access thereto by the solid waste, green waste, or recyclable materials collection vehicle.

**4-10-090: DISPOSAL OF COMMUNITY WASTE.** Green waste may be disposed of by business establishments, and residences that have not signed up for the City's green waste collection services, in vehicles provided by them subject to regulation by the City as to the places of disposal and as to the type of vehicle used to avoid spillage upon public ways of the municipality, hazards to safety, and the prevention of nuisances. (Ord. 10-05)

**4-10-010: BURNING OF GREEN WASTE PROHIBITED.** It shall be unlawful for any person to burn green waste in the open air or in any furnace or stove within the municipality unless expressly allowed by State regulations or County Health and Burning Ordinances. (Ord. 10-05)

**4-10-011: DUMPING HOUSEHOLD, CONSTRUCTION, AND GREEN WASTE PROHIBITED.** It shall be unlawful for any person to place, deposit, or dump household, construction, and green waste upon any lot within the municipality whether such lot is occupied or vacant and whether such person so placing, depositing or dumping such refuse is the owner, tenant, occupant or lessor thereof or has the same under his jurisdiction and control. This section shall not prevent property owners from composting their green waste materials on their property. (Ord. 10-05) (Ord. 12-07)

**4-10-012: LIMITATIONS UPON DUMPING.** Dumping green waste recyclable materials shall be permitted only in such places as are designated by the City Council. Dumping shall be subject to such rules and regulations as may be formulated by the City Council. All processible waste generated within the City shall be delivered to the Wasatch Integrated Waste Management District facilities, as said District shall direct. (Ord. 10-05)

**4-10-013: REGULATIONS.** The City Council may adopt such regulations as, in its opinion, are necessary to implement this part and its objectives. (Ord. 10-05)

## CHAPTER 11

### SYRACUSE CITY HALL (adopted by R11-20)

- 4-11-1 Purpose
- 4-11-2: Hours of Operation
- 4-11-3: Building Availability
- 4-11-4: Building Rental Process and Fees
- 4-11-5: Alcoholic Beverages, Drugs, or Gambling
- 4-11-6: Nuisances
- 4-11-7: Safety and Security
- 4-11-8: Lost and Found Policy
- 4-11-9 City Hall Rental Policies
- 4-11-10 Refund Policy

**4-11-1 Purpose.** The purpose of the Syracuse City Hall is to conduct the business needs of City residents and provide available amenities to the community to enjoy during those times when it is not otherwise in use. In order to promote the orderly and harmonious use of the City Hall's lobby and Council Chambers, this Section establishes the following procedures and rules as well as rental fees as established and adopted in the City's fee schedule. Deposits and rental fees are solely for the purpose of ensuring that these public amenities remain in good condition and to cover expenses incurred by municipal staff in overseeing reserved events and providing emergency services as necessary.

**4-11-2 Hours of Operations:** The Syracuse City Hall shall be open to the public as follows: Mondays through Fridays, from 8:00 a.m. to 5:00 p.m. City staff shall post notices on the front doors prior to the building closing during regular operating hours. City Hall will be closed on major holidays (i.e. Thanksgiving, Christmas Day, New Years Day, etc.).

**4-11-3 Building Availability:** The City Manager reserves the right to withhold reservations for any given day, during periods of availability, for any City-sponsored event or if the City Manager determines that the building requires maintenance, cleanup, repair, other work of an extraordinary nature, or the unavailability of required City personnel. Facility rentals shall be available Mondays through Fridays, from 5:00 to 11:00 p.m., and Saturdays, from 8:00 a.m. to 11:00 p.m., but no holidays. Interested parties shall not rent any portion of City Hall for events requiring the purchase of tickets or the payment of fees.

**4-11-4 Building Rental Process and Fees:**

- (A) Reservations shall be made in person through the Community Development Department, during regular business hours, in half-hour increments.
- (B) Renters shall be responsible adults, 18 years or older, and on site for the entire event.
- (C) City staff will accept reservations on a first-come first-served basis, and deposits and applicable rental fees are due upon submittal of the application.
- (D) Any person/group may rent the Syracuse City Council Chambers and/or lobby under the following conditions:
  1. Schedule for an available date and sign a building-rental agreement form
  2. Pay a deposit at time of scheduling, refunded if facility is left clean and undamaged
  3. Pay the hourly rate, as established in the City fee schedule
  4. All events/activities must be legal and in conformance with all Syracuse City Ordinances
  5. The following is a list of available facilities for rent with associated fees as located in the City fee schedule established and adopted by City Council:

**LOBBY**

**Small Events (<25 persons – no food or beverages)**

**Resident:** \$50.00 deposit and \$35.00 per hour staffing

**Non-Resident:** \$75.00 deposit and \$40.00 per hour staffing

**Small Events (<25 persons – with food and/or beverages)**

**Resident:** \$100.00 deposit and \$40.00 per hour staffing

**Non-Resident:** \$150.00 deposit and \$45.00 per hour staffing

**Large Events (>25 persons – no food or beverages)**

**Resident:** \$300.00 deposit and \$45.00 per hour staffing

**Non-Resident:** \$450.00 deposit and \$50.00 per hour staffing

**Large Events (>25 persons – with food and/or beverages)**

**Resident:** \$300.00 deposit and \$50.00 per hour staffing

**Non-Resident:** \$450.00 deposit and \$55.00 per hour staffing

**COUNCIL CHAMBERS**

**Small Events (<25 persons – no food or beverages)**

**Resident:** \$100.00 deposit and \$35.00 per hour staffing

**Non-Resident:** \$150.00 deposit and \$40.00 per hour staffing

**Large Events (>25 persons – no food or beverages)**

**Resident:** \$300.00 deposit and \$40.00 per hour staffing

**Non-Resident:** \$450.00 deposit and \$45.00 per hour staffing

**LOBBY AND COUNCIL CHAMBERS**

**Small Events (<25 persons – no food or beverages)**

**Resident:** \$150.00 deposit and \$35.00 per hour staffing

**Non-Resident:** \$200.00 deposit and \$40.00 per hour staffing

**Small Events (>25 persons – with food and/or beverages in lobby)**

**Resident:** \$200.00 deposit and \$40.00 per hour staffing

**Non-Resident:** \$250.00 deposit and \$45.00 per hour staffing

**Large Events (>25 persons – no food or beverages)**

**Resident:** \$350.00 deposit and \$50.00 per hour staffing

**Non-Resident:** \$400.00 deposit and \$55.00 per hour staffing

**Large Events (>25 persons – with food and/or beverages)**

**Resident:** \$450.00 deposit and \$55.00 per hour staffing

**Non-Resident:** \$500.00 deposit and \$60.00 per hour staffing

- 4-11-5 Alcoholic Beverages, Drugs, Smoking, or Gambling:** Syracuse City prohibits the sale, consumption, or possession of intoxicating liquors or beverages and dangerous or narcotic drugs and smoking or gambling of any kind in City Hall.
- 4-11-6 Nuisances:** It shall be unlawful for any person to use threatening, abusive, insulting, or indecent language, to commit any obscene or indecent act, to fight, or to create a public disturbance or nuisance within or on City Hall premises. Any person who loiters in or at City Hall while under the influence of alcohol or drugs or who otherwise disturbs the peace of others at any Syracuse City municipal building by begging, soliciting, making undue noise, or engaging in disruptive activities shall be deemed as creating a public nuisance.
- 4-11-7 Safety and Security:**
- (A) During any building rental, at least one Syracuse City employee shall be present in case of an emergency.
  - (B) Employee training: All Syracuse City employees supervising the activities of those renting the lobby or Council Chambers shall receive training in and/or be certified in the following:
    - 1. First aid/CPR
    - 2. Blood borne Pathogen exposure control

3. Proper evacuation of the building
4. How to run the equipment in the building (i.e. sound, computers, screens, etc.)

**4-11-8 Lost and Found Policy:** Syracuse City employees shall not be responsible for any lost or stolen personal property missing from any part of the building. City staff or guests should turn in found items to the front desk area of the Community Development or Utilities departments for safekeeping until such time as an owner claims them or 30 days pass from the time the finders turned in such items, after which City staff shall donate them to a nonprofit organization.

**4-11-9 City Hall Rental Policies:**

- (A) Renters shall arrive at least 15 minutes prior to the event in order to meet with City staff and walk through the lobby and restrooms, and Council Chambers when applicable, and provide and receive instructions on expected activities during the reserved time.
- (B) Renters shall sign an inspection sheet immediately prior to the onset of their event to ensure factual recordation of the building's conditions.
- (B) The rental period includes set-up and take-down time.
- (C) Cleaning supplies shall be available for patrons' use at the end of events to ensure building is left in its pre-existing condition as per the inspection report. Renters shall bag and remove all decorations, garbage, etc. A dumpster shall be available for use in the southeast corner of parking area.
- (D) No one shall enter the Council Chambers with food or beverages at any time, use fog machines, candles, or have open flames of any kind, or bring animals inside any area of City Hall that are not certified assistance pets. No one shall enter the building without being fully clothed, including shoes and shirt, or with roller blades, skateboards, or other like items for recreational use. Patrons found to be in violation of any rules of City Hall shall leave upon request.
- (E) Immediately following the event, renter shall participate in an exit inspection with City staff to record and compare the building's conditions and establish reasonable charges against the deposit amount when deemed necessary. City staff will then prepare an invoice or begin processing payment to the responsible party for the balance of their deposit, when applicable, which may take 7-10 business days for mailing. Renter shall be responsible for any violations of conduct committed by guests while using the building.

**4-11-10 Refund Policy:** All refund requests will be charged a \$20 administrative fee. Refunds may take 7-10 business days for mailing.

# SYRACUSE CITY HALL RENTAL AGREEMENT

1979 West 1900 South  
Syracuse, UT 84075  
801-825-1477

<b>Renter's Information</b>	<b>Application Date:</b>
Phone Nos.:	
Email Address:	Mailing Address:
Purpose of Event:	Rental Date:
Number of Guests:	Rental Times:

**Purpose.** The purpose of City Hall is to conduct the business needs of City residents and provide available amenities to the community to enjoy during those times when it is not otherwise in use. In order to promote the orderly and harmonious use of the lobby and Council Chambers, the following outlines the procedures and rules as well as rental fees as established and adopted in the City's fee schedule. Deposits and rental fees are solely for the purpose of ensuring that these public amenities remain in good condition and to cover expenses incurred by municipal staff in overseeing reserved events and providing emergency services as necessary.

**Building Availability:** The City Manager reserves the right to withhold reservations for any given day during the period of availability for any City-sponsored event or if the City Manager determines that the building requires maintenance, cleanup, repair, other work of an extraordinary nature or the unavailability of required City personnel. Facility rentals shall be available Mondays-Fridays, from 5:00 to 11:00 p.m., and Saturdays, from 8:00 a.m. to 11:00 p.m., but no holidays, Interested parties shall not rent any portion of City Hall for events requiring the purchase of tickets or the payment of fees.

**Building Rental Process and Fees:** Reservations shall be made in person through the ( ) Department, during regular business hours, in half-hour increments. Renters shall be responsible adults, 18 years or older, and on site for the entire event. City staff will accept reservations on a first-come first-served basis, and deposits and applicable rental fees are due upon submittal of application. Any person/ group may rent the Chambers and/or lobby with the following conditions:

- (A) Schedule for an available date and sign a building-rental agreement form
- (B) Pay a deposit at time of scheduling, refunded if facility is left clean and undamaged
- (C) Pay the hourly rate, as shown below:

## LOBBY

### Small Events (<25 persons – no food or beverages)

**Resident:** \$50.00 deposit and \$35.00 per hour staffing

**Non-Resident:** \$75.00 deposit and \$40.00 per hour staffing

### Small Events (<25 persons – with food and/or beverages)

**Resident:** \$100.00 deposit and \$40.00 per hour staffing

**Non-Resident:** \$150.00 deposit and \$45.00 per hour staffing

### Large Events (>25 persons – no food or beverages)

**Resident:** \$300.00 deposit and \$45.00 per hour staffing

**Non-Resident:** \$450.00 deposit and \$50.00 per hour staffing

### Large Events (>25 persons – with food and/or beverages)

**Resident:** \$300.00 deposit and \$50.00 per hour staffing

**Non-Resident:** \$450.00 deposit and \$55.00 per hour staffing

## COUNCIL CHAMBERS

**Small Events (<25 persons – no food or beverages)**

**Resident:** \$100.00 deposit and \$35.00 per hour staffing

**Non-Resident:** \$150.00 deposit and \$40.00 per hour staffing

**Large Events (>25 persons – no food or beverages)**

**Resident:** \$300.00 deposit and \$40.00 per hour staffing

**Non-Resident:** \$450.00 deposit and \$45.00 per hour staffing

**LOBBY AND COUNCIL CHAMBERS**

**Small Events (<25 persons – no food or beverages)**

**Resident:** \$150.00 deposit and \$35.00 per hour staffing

**Non-Resident:** \$200.00 deposit and \$40.00 per hour staffing

**Small Events (>25 persons – with food and/or beverages in lobby)**

**Resident:** \$200.00 deposit and \$40.00 per hour staffing

**Non-Resident:** \$250.00 deposit and \$45.00 per hour staffing

**Large Events (>25 persons – no food or beverages)**

**Resident:** \$350.00 deposit and \$50.00 per hour staffing

**Non-Resident:** \$400.00 deposit and \$55.00 per hour staffing

**Large Events (>25 persons – with food and/or beverages)**

**Resident:** \$450.00 deposit and \$55.00 per hour staffing

**Non-Resident:** \$500.00 deposit and \$60.00 per hour staffing

All events/activities must be legal and be in conformance with all Syracuse City Ordinances

**Alcoholic Beverages, Drugs, Smoking, or Gambling:** The City prohibits the sale, consumption, or possession of intoxicating liquors or beverages and dangerous or narcotic drugs, and smoking or gambling of any kind in City Hall.

**Nuisances:** It shall be unlawful for anyone to use threatening, abusive, insulting, or indecent language, to commit any obscene or indecent act, to fight, or to create a public disturbance or nuisance within or on City Hall premises. Anyone who loiters in or at City Hall while under the influence of alcohol or drugs or who otherwise disturbs the peace of others at any City municipal building by begging, soliciting, making undue noise, or engaging in disruptive activities shall be deemed as creating a public nuisance.

**Safety and Security:** During reserved events, at least one City employee shall be present in case of any emergency. Staff shall supervise events, run City equipment if needed, and provide assistance in emergencies, such as first aid/CPR, blood-borne pathogen exposure control, and proper evacuation of building.

**Lost and Found Policy:** City staff shall not be responsible for lost or stolen personal property from the building. Staff or guests should turn in found items to the front desk area of the Community Development or Utilities departments for safekeeping until an owner claims them or 30 days pass from the time the finders turned in such items, after which staff shall donate them to a nonprofit organization.

**City Hall Rental Policies:**

- (A) Renters shall arrive at least 15 minutes prior to event in order to meet with City staff and walk through lobby and restrooms, and Council Chambers when applicable, and provide and receive instructions.
- (B) Renters shall sign an inspection sheet immediately prior to the onset of their event to ensure factual recordation of the building's conditions.
- (B) The rental period includes set-up and take-down time.
- (C) Cleaning supplies shall be available for patrons' use at the end of events to ensure building is left in its pre-existing condition as per the inspection report. Renters shall bag and remove all decorations, garbage, etc. A dumpster shall be available in the southeast corner of parking lot.

- (D) No one shall enter the Chambers with food or beverages at any time, use fog machines, candles, or have open flames, or bring animals inside any area of City Hall that are not certified assistance pets. No one shall enter the building without being fully clothed, including shoes and shirt, or with roller blades, skateboards, or other like items for recreational use.
- (E) Immediately following the event, renter shall participate in an exit inspection with staff to record and compare building's conditions and establish reasonable charges against deposit amount when necessary. Staff will then prepare an invoice or begin processing payment to renter for balance of deposit, when applicable, which may take 7-10 business days for mailing. Renter shall be responsible for any violations of conduct committed by guests while using building.

**Refund Policy:** All refund requests will be charged a \$20 administrative fee. Refunds may take 7-10 business days for mailing.

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Signature of Renter

---

Date

**SYRACUSE CITY HALL  
PREPARATORY INSPECTION SHEET**

1979 West 1900 South  
Syracuse, UT 84075  
801-825-1477

- Lobby floor and rugs\_\_\_\_\_
- Fountain, wall, rocks, and plants\_\_\_\_\_
- Lobby walls and pictures\_\_\_\_\_
- Lobby windows and glass doors\_\_\_\_\_
- Lobby furniture\_\_\_\_\_
- Lobby ceiling\_\_\_\_\_
- Drinking fountain\_\_\_\_\_
- Men's restroom\_\_\_\_\_
- Women's restroom\_\_\_\_\_
- Council chambers carpet\_\_\_\_\_
- Council chambers seats and furniture\_\_\_\_\_
- Council chambers rolling chairs\_\_\_\_\_
- Council chambers walls\_\_\_\_\_
- Council chambers jury seats\_\_\_\_\_
- Council chambers microphones and computer screens\_\_\_\_\_
- Council chambers ceiling\_\_\_\_\_

\_\_\_\_\_  
Signature of Renter

\_\_\_\_\_  
Signature of City employee

# SYRACUSE CITY HALL EXIT INSPECTION SHEET

1979 West 1900 South  
Syracuse, UT 84075  
801-825-1477

Lobby floor and rugs\_\_\_\_\_

Fountain, wall, rocks, and plants\_\_\_\_\_

Lobby walls and pictures\_\_\_\_\_

Lobby windows and glass doors\_\_\_\_\_

Lobby furniture\_\_\_\_\_

Lobby ceiling\_\_\_\_\_

Drinking fountain\_\_\_\_\_

Men's restroom\_\_\_\_\_

Women's restroom\_\_\_\_\_

Council chambers carpet\_\_\_\_\_

Council chambers seats and furniture\_\_\_\_\_

Council chambers rolling chairs\_\_\_\_\_

Council chambers walls\_\_\_\_\_

Council chambers jury seats\_\_\_\_\_

Council chambers microphones and computer screens\_\_\_\_\_

Council chambers ceiling\_\_\_\_\_

\_\_\_\_\_

Signature of Renter

Signature of City employee

\*Remove all items brought in for event and bag and remove all garbage from lobby and/or chambers.