ORDINANCE NO. 14-96

ROLL CALL

VOTING	YES	NO
MAYOR MARIE W. HUFF *(votes only in case of tie)*		
SHERMAN E. HUFF *Councilmember*	X	
MATTHEW D. BARBER *Councilmember*	X	
THORA L. SHAW *Councilmember*	X	
CLYDE A. SWENSON *Councilmember*	X	
REX WOODHOUSE *Councilmember*	X	

I MOVE this ordinance be adopted: Councilmember Swenson
I SECOND the foregoing motion: Councilmember Woodhouse

ORDINANCE 14-96

AN ORDINANCE MAKING CERTAIN AMENDMENTS TO THE SPANISH FORK MUNICIPAL CODE DEALING WITH WATER AND UTILITIES

WHEREAS, Spanish Fork City has experienced rapid growth over several years; and

WHEREAS, The City has an obligation to provide culinary water to it's residents; and

WHEREAS, In order to meet the water demands of the growing population, the City must continue to obtain water rights; and

WHEREAS, Various studies indicate the amounts of water consumed by various types of uses within the City; and

WHEREAS, It is fair and reasonable that the parties responsible fora needed additional water rights be required to provide those rights; and

WHEREAS, The amount of water consumed, based on the various studies, can best be determined at the time when a building permit is applied for; and

WHEREAS, It is fair and reasonable to require a new connection to the system to provide an adequate amount of water rights to meet the increased demand on the system caused by said connection; and

WHEREAS, In order to protect the health, safety and, welfare of the residents of the City, it is reasonable that the Spanish Fork City Ordinances be amended to require a transfer of water by a user being connected to the culinary water system;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

SECTION I

Section 13.12.010 of the Spanish Fork Municipal Code is hereby amended to read as follows:

13.12.010 Rates and Connection Fees-Determination

A. The city shall provide culinary water to the residents of the city. The rates and connection fees for water service from the municipal system shall be fixed from time to time in the annual budget adopted by the city council. The city council may, from time to time, enact rules for levying, billing, guaranteeing, and collecting charges for water services and all other rules necessary for the management and control of the water system.

B. Each person desiring to connect to the city water system shall transfer to the City the quantity and type of water rights as determined and established from time to time by resolution of the City Council. The purpose of this subsection is to assure the City has an adequate water

supply to provide water needed by the connection, or to replace water which will be provided through the connection.

SECTION II

This Ordinance shall take effect twenty days after publication or thirty days after passage, whichever is later.

PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL OF SPANISH FORK, UTAH, this 20th day of November, 1996.

DATED this 20th day of November, 1996.

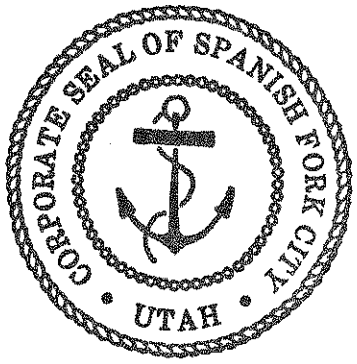
Marie W. Huff

MARIE HUFF as Mayor

ATTEST:

Kent R. Clark

KENT CLARK, City Recorder



STATE OF UTAH :
}ss.
COUNTY OF UTAH :

KENT R. CLARK, being first duly sworn, deposes and says that he is the duly appointed and qualified recorder of Spanish Fork City, County of Utah, State of Utah; that as part of his duties to keep the minutes, resolutions, and ordinances of Spanish Fork City, that the attached ordinance is the same as the ordinance passed on the 20th day of November, 1996 by the Spanish Fork City Council.

Kent R. Clark
KENT CLARK, City Recorder

Subscribed and sworn to before me this 20 day of Nov, 1996.

Gina Peterson
NOTARY PUBLIC

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NOTARY PUBLIC
GINA PETERSON
40 South Main
Spanish Fork, UT 84660
My Commission Expires: 2-13-2000
State of Utah

Proof of Publication

J. Lane Henderson being first duly sworn according to law, disposes and says that he is the *Publisher* of *THE SPANISH FORK PRESS*, a weekly newspaper, printed and published at Spanish Fork, Utah County, Utah, and of general circulation therein; that the Notice, a copy of which is hereto attached, was printed and published in said paper.

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WHEREAS, The City has an obligation to provide culinary water to it's residents; and

WHEREAS, In order to meet the water demands of the growing population, the City must continue to obtain water rights; and

WHEREAS, Various studies indicate the amounts of water consumed by various types of uses within the City; and

WHEREAS, It is fair and reasonable that the parties responsible fora needed additional water rights be required to provide those rights; and

WHEREAS, The amount of water consumed, based on the various studies, can best be determined at the time when a building permit is applied for; and

WHEREAS, It is fair and reasonable to require a new connection to the system to provide an adequate amount of water rights to meet the increased demand on the system caused by said connection; and

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B. Each person desiring to connect to the city water system shall transfer to the City the quantity and type of water rights as determined and established from time to time by resolution of the City Council. The purpose of this subsection is to assure the City has an adequate water supply to provide water needed by the connection, or to replace water which will be provided through the connection.

SECTION II

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PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL OF SPANISH FORK, UTAH, this 20th day of November, 1996.

Published in the Spanish Fork Press December 12, 1996.

for One consecutive weeks,

the first publication on the 12th day

of December 19 96

and the last on the 12th day of

December 19 96

Lane Henderson

Subscribed and sworn to before me this 19th day of December 19 96

Sara Worthington

Notary Public

SARA WORTHINGTON

Residing at Spanish Fork, Utah

My Commission expires 3-14-99