

**ORDINANCE NO. 2023-2-O**

**AN ORDINANCE AMENDING CHAPTER 2, SECTION 1.04, OF THE LINDON CITY LAND DEVELOPMENT POLICIES, STANDARD SPECIFICATIONS AND DRAWINGS MANUAL FOR PRIVATE UTILITY REQUIREMENTS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Lindon City Council is authorized by state law to enact and amend ordinances regulating water service and infrastructure within the City; and

**WHEREAS**, the proposed amendment will allow Lindon City to better serve the public by placing appropriate requirements and conditions on the placement of utilities and their associated easements so as to facilitate the maintenance, repair, and replacement of critical public water infrastructure that may be constructed as part of, or in conjunction with private development; and

**WHEREAS**, Lindon City Council held a public hearing on March 6, 2023, to consider the proposed amendments and received and considered all public comments that were made therein.

**NOW, THEREFORE, BE IT ORDAINED BY THE LINDON CITY COUNCIL, as follows:**

**Section One: Amendment of Chapter 2, Section 1.04 of the Lindon City Land Development Policies and Standard Specifications and Drawing Manual.**

Section 1.04 of Chapter 2 of the Lindon City Land Development Policies and Standard Specifications and Drawing Manual is amended as follows:

**SECTION 1.04 PRIVATE UTILITIES**

This section describes circumstances under which utilities are generally privately owned and maintained.

**1. Culinary Water**

Culinary water service lines between the main line and the meter, as well as the meter, are public. Water service lines beyond the water meter are private. Fire hydrants and culinary water lines providing service to them are public if they provide fire protection to single family residential development on public streets. Fire hydrants and culinary water lines providing service to them on private property are public if 1) the lines are looped back into the public system, or 2) they provide fire protection to multiple property owners (other than a single condominium project). Otherwise, fire hydrants and the lines providing service to them are privately owned and maintained.

Lindon City shall be responsible for the maintenance and repair of all public water lines and hydrants, including public water lines and hydrants located on private property. No private party may connect to, repair, or replace a public water line or hydrant without the express written consent and direct supervision of the City. Lindon City shall be responsible for all maintenance, repair and replacement of public lines and hydrants, including the excavation and proper fill and compaction of related excavations, but shall not be responsible for restoring road surfaces and other surface structures and features, including but not limited to, asphalt, concrete, curb and gutter, landscaping and irrigation systems, which costs shall be the sole responsibility of the owner of the private property on which the public water lines and hydrants are located.

**2. Secondary Water**

Secondary water service lines between the main line and the irrigation service box are public. Secondary water service lines beyond the irrigation box are private.

3. Sanitary Sewer

Sewer laterals are private all the way to the city main line. Sewer lines to multiple condominium or rental units are generally considered private regardless of size. A sewer main 8" or larger in size extended onto private property that serves multiple property owners (other than in a condominium development) is generally considered public.

4. Storm Drain

Storm drain lines are considered private until they connect to the city main line or a public extension of the city storm drainage system (such as an inlet box in a public street).

5. Telecommunications Conduit

The system of telecommunications conduit to and including the service box is public. The conduit beyond the service box is private.

6. Street Lights

Street lights on public streets are public. Street lights meeting the City standards required by the City on private streets that are accessible to the public are public. Other lighting, such as in parking lots and within sites, is private.

Easements must be provided for utility lines on property owned by someone other than the utility owner. They generally need to be 20 feet wide, with 10 feet on each side of the utility. Easements for public water lines and hydrants shall expressly state that maintenance, repair, and replacement of public water lines and hydrants shall be the sole responsibility of Lindon City, but that the costs of restoring road surfaces and other surface structures or features, landscaping and/or irrigation systems within the easement shall be the sole responsibility of the owner of the private property on which the public water lines and hydrants are located.

**Section Two: Effective Date.**

This ordinance shall take effect immediately upon passage and posting as provided by law.

PASSED, AND APPROVED, and made effective by the City Council of Lindon

City, Utah, this 6<sup>th</sup> day of March, 2023.

  
Carolyn O. Lundberg, Mayor

ATTEST:

  
Kathryn A. Moosman  
Lindon City Recorder

SEAL



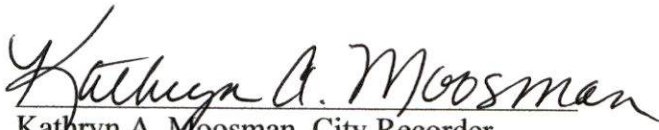
CERTIFICATE OF PASSAGE

STATE OF UTAH            }  
                                      }ss.  
COUNTY OF UTAH        }

I, Kathryn A. Moosman, City Recorder of Lindon City, Utah do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed and adopted by the City Council of Lindon City, Utah on the 6<sup>th</sup> day of March, 2023 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH AMENDING CHAPTER 2, SECTION 1.04 OF THE LINDON CITY LAND DEVELOPMENT POLICIES, STANDARD SPECIFICATIONS AND DRAWINGS MANUAL FOR PRIVATE UTILITY REQUIREMENTS AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Lindon City, Utah, this 6<sup>th</sup> day of March, 2023.

  
Kathryn A. Moosman, City Recorder



AFFIDAVIT OF POSTING

STATE OF UTAH            }  
  }ss.  
COUNTY OF UTAH        }

I, Kathryn A. Moosman, City Recorder of Lindon City, Utah do hereby certify and declare that I posted the attached ordinance in three public places on the 6<sup>th</sup> day of March 2023.

The three public places are as follows:

1. Lindon City Police Department
2. Lindon City Community Development Office
3. Lindon City Center

I further certify that the agenda of the meeting of the City Council containing notice of public hearing was published and posted according to law, and that copies of the ordinance so posted were true and correct copies of the original.

*Kathryn A. Moosman*  
Kathryn A. Moosman, City Recorder

The foregoing instrument was acknowledged before me this 13 day of March, 2023 by Kathryn A. Moosman.

My Commission expires: January 7, 2025            *Britni Laidler*  
Notary Public

Residing at: Utah County

