

WELLINGTON CITY ORDINANCE 2020-01

AN ORDINANCE TO AMEND AND ADAPT NEW PROVISIONS OF TITLE 14, UTILITIES OF THE WELLINGTON CITY CODE, SPECIFICALLY “CHAPTER 14-1 WATER” AND “CHAPTER 14-3 SEWER”

WHEREAS, Wellington City provides certain utilities for a fee to residents and non-residents; and

WHEREAS, the Wellington City Council has determined that it is in the best interests of Wellington City and the citizens thereof to amend Sections 14-1-1-014, 14-3-1-007; and

WHEREAS, the Wellington City Council would also like to implement 14-1-1-006.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Wellington City, Utah as found on the City Website and at City Hall and summarized as such:

Section 1. Ordinance

1. Section 14-1-1-014 of the Wellington City Code is amended as such:

Section 14-1-1-014 – Unauthorized Use of City Utility Services Prohibited

It shall be unlawful for any person, or legal entity, or their agents, or anyone acting pursuant to their direction, to open any stopcock valve or other fixture attached to or controlling the water system, or to use water coming through the water mains, or to discharge sewage into the sewage system, or to obtain electronic power from the city electric distribution system without first submitting an application for utility services as required in this Ordinance and receiving approval as provided in this Chapter.

2. Section 14-1-1-006 is created as such:

14-1-1-006(a) Definitions

In the construction of this Chapter and any ordinance or regulation adopted pursuant thereto all words and terms shall have the meaning ascribed to them pursuant to their common usage or definition, unless such definition is inconsistent with the intent or contrary to the context of this Chapter.

STRUCTURE shall mean any fixed or movable construction capable of occupancy whether or not that construction was or was not intended to be used as a permanent home or residence. STRUCTURE includes, but is not necessarily limited to, a prefabricated home, stick built home, building either to house a single or multiple occupants for either personal or private use, recreational vehicle regardless of size be it a motorhome, fifth wheel, travel trailer or van, tent, lean-to, shed, hut, yurt, carport, patio or any other construction with a roof. A STRUCTURE need not be permanently affixed to the premises upon which it is located.

14-1-1-006(b) Existing Users

Those authorized persons or legal entities utilizing city utilities at the time this Chapter is adopted and are on the list of Wellington City utility users are exempted from the requirement of submitting an application for utility services as required herein.

14-1-1-006(c) Occupancy without Agreement or Ceasing of the Service

Ceasing of the Service

It is unlawful for any person or legal entity to occupy a structure or to operate a business before the utility use agreement as required by this Chapter has been approved by the city and the required security deposit has been paid.

Further, it is unlawful for any person or legal entity to cease to use any utility service during that person or entity's occupancy of a structure without the prior approval of the city.

14-1-1-006(d) Provisions to Handle Violations

A violation of the provision shall be a Class B Misdemeanor, and each additional day of non-compliance shall constitute a separate offense.

3. Section 14-3-1-007 of the Wellington City Code is amended as such

Section 14-3-1-007 Special Rates for Sewers Permitted

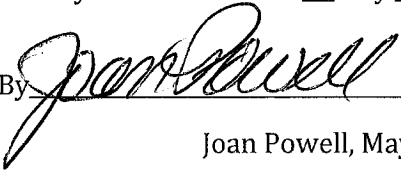
The city council may from time to time fix by agreement or resolution special rates and conditions upon such terms as they may deem proper for users of the sewer service discharging wastes of unusual characteristics or making use thereof under exceptional circumstances.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect on July 16, 2020 on day after Legal Notice has been published in a matter that complies with Utah State Code.

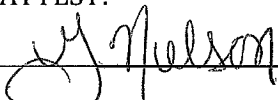
PASSED AND ADOPTED by the Wellington City Council at a regularly scheduled City Council meeting held on the 8th day of July 2020.

Voting:

Bethany Perea	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Rory Bradley	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Derk Bradley	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Glen Wells	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>
Paula Noyes	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>

By 
Joan Powell, Mayor

ATTEST:


Glenna Nelson, City Recorder

