

**ALTA PLANNING COMMISSION**  
**FRIDAY FEBRUARY 16, 2018**  
**ALTA LIBRARY/COMMUNITY CENTER**  
**10361 East Highway 210**  
(across the street, north of the rustler lodge)  
**3:00PM**  
**801.363.5105**

- 1) Introduction and welcome from the Vice Chair.
- 2) Commission to vote on/elect a new Chair.
- 3) Commission to vote on/elect a new Vice-Chair.
- 4) Introduction of Mayor Harris Sondak, new ex-officio member.
- 5) Introduction of new member Jeff Niermeyer.
- 6) Approval of minutes from the November 6, 2017, Planning Commission meeting.
- 7) Commission to discuss and establish regular meeting dates and times.
- 8) Update on SR-210 EIS, Jon Nepstad
- 9) Overview of Climate Change and possible effects on our operations in Alta, Roger Bourke.
- 10) Update on current legislation.
- 11) Update on status of zoning amendment project.
- 12) Discussion of priorities for 2018
- 13) Discussion and status of the ongoing commercial core planning effort/active transportation study.
- 14) Motion to adjourn

Alta Town Council members are invited to the meeting; as such there may be a quorum of the Town Council. Reasonable accommodations (including auxiliary communicative aids and services) for individuals with disabilities may be provided upon receipt of a request with three (3) working days' notice. For assistance please call the Alta Town Office at 801.363.5105

### Overview of zoning amendment status:

We have gone through proposed zoning ordinance amendments, arriving at a general consensus on all except for the proposed Albion Basin Protection Overlay Zone (abpoz), the non-conforming use chapter and sewer service regulations. The Sewer Service Regulations section has been updated re: use of public sewer and lays out engineering standards and best practices for development which might occur in the Albion Basin where there is no sewer. These standards are not prohibitive and should not be controversial.

That leaves us with the abpoz and how to incorporate the waterways and non-conforming use sections in that zone and the remainder of the town.

When we are finished with these last items, we will go over all of the ordinances one more time before holding a public hearing and sending on the proposed recommendations/revisions to the Town Council.

In the November 6, 2018 commission meeting you agreed on establishing the abpoz, in short because the Basin is more sensitive and more at risk than the rest of the town. You also agreed on the more refined definition of waterways. Still pending is a recommendation on stricter setbacks from perennial streams than for intermittent streams, and a decision whether or not to recommend to the council the allowance of piping or relocation of intermittent streams. Option A vs Option B. And again, a decision on the non-conforming use chapter.

At the November 6, meeting you felt your next steps were to:

**Draw the borders for the abpoz.** You as a commission have to feel comfortable with the boundaries of the abpoz. A draft area has been established by our engineer based on existing waterways, topography and natural drainage channels. We'll start with that draft to see if you agree with the area or if you feel it should be amended.

After coming to a conclusion on the boundaries of the abpoz, you will then discuss:

**Waterways,** Option A vs Option B and do you support the same criteria for the entire town, or separate conditions for the abpoz than the remainder of the town.

**100' stream buffer.** In the last meeting, per Professor Ehleringer's research, a 100' stream buffer was supported, as opposed to our 50' buffer; especially in areas like the Albion Basin, due to geological, topographical and hydrological characteristics of the Basin as well as the fact that the Basin is not served by a sewer system like the rest of the town. If you do support the 100' setback, do you support that as town-wide or just applicable to the Albion Basin, which was identified as more sensitive and susceptible to damage than the remainder of town?

**Non-conforming uses,** do you support non-conforming uses remaining basically status quo in the abpoz, allowing continuance and maintenance only, while providing a "safety valve" in the remainder of town which could allow tear down, rebuild and even expansion of non-conforming uses? The current draft

uses the same waterway criteria for the whole town, while providing a less restrictive non-conforming use section for the remainder of town outside of the abpoz.

You have the option of recommending both stricter waterway setbacks, eg, 100', in the abpoz as compared to the remainder of town as well as the two part non-conforming use section which provides a "safety valve" for the remainder of town outside the abpoz.

You also wanted to look at the language in Salt Lake County's Mountainous Planning District for non-conforming uses. One particularly interesting part of that language allows for maintenance, and even expansion of non-conforming uses; in our case in the main part of town, but with a 250 square foot maximum for any expansions. That is a rational standard as applied to non-conforming structures while providing definition to any possible expansion.

You also heard concerns from the Alta Ski Lift Company. They use both public and private land in the Albion Basin and would like to follow the same rules and guidelines for both. There may be differences between the Forest Service, the Corps of Engineers, Salt Lake City and Alta regulations and the Lift Company wants us to take that into account.

The Lift Company would also like us to address issues such as lift towers/structures and utility buildings that would be affected by any change in setbacks.

## **Title 10: LAND USE REGULATIONS**

### **Chapter 6: ZONING DISTRICTS**

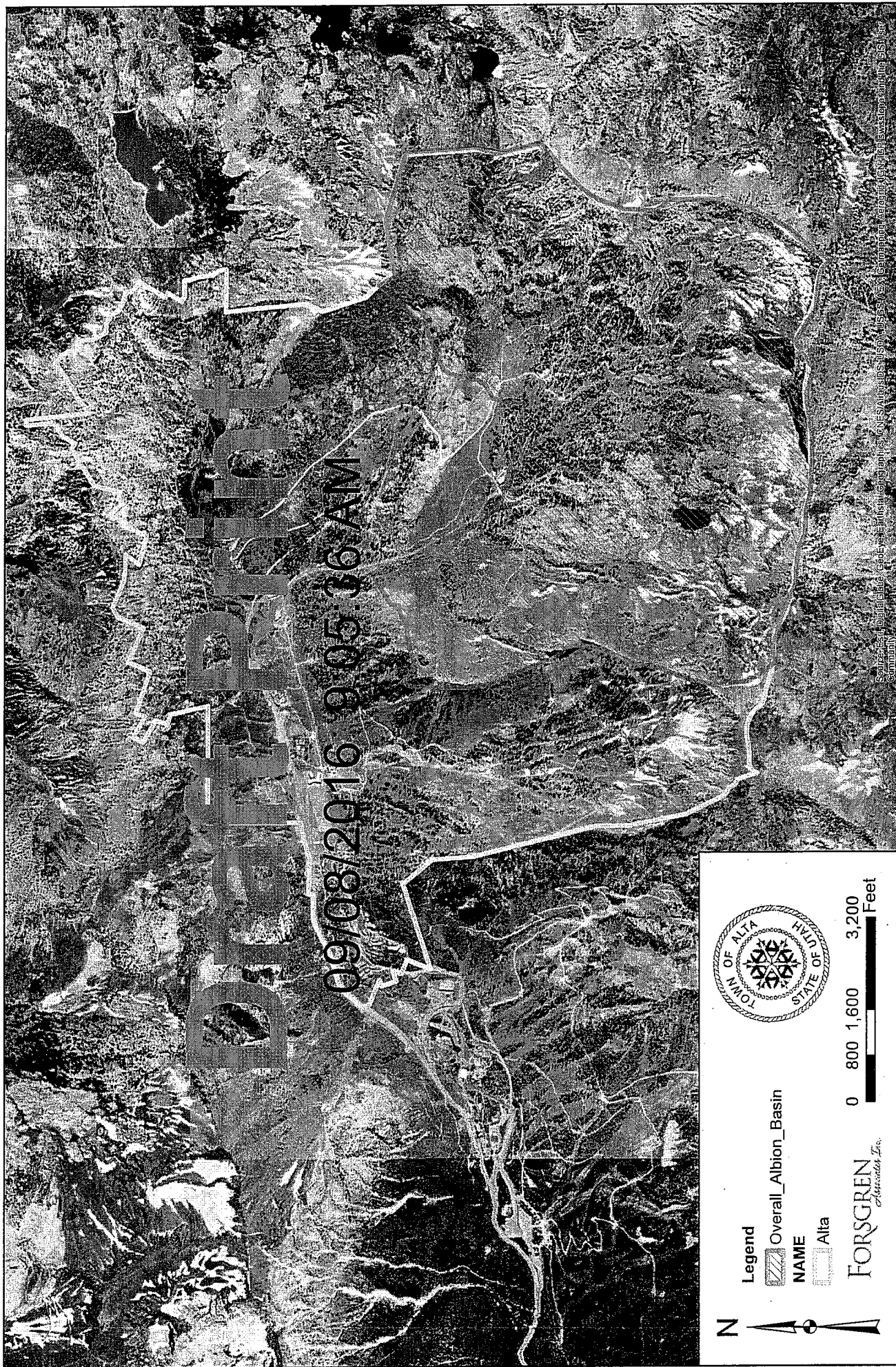
#### **Article E: ALBION BASIN PROTECTION OVERLAY ZONE**

##### **10-6E-1: OVERLAY ZONE MAP:**

The Albion Basin Protection Overlay Zone applies to those certain parcels within the town of Alta shown on the Albion Basin Protection Overlay Zone Map on file in the town of Alta.

##### **10-6E-2: PURPOSE:**

The Albion Basin is a unique, beautiful, and fragile alpine ecosystem that includes the headwaters of the Little Cottonwood Canyon watershed. The purpose of the Albion Basin Protection Overlay Zone is to preserve and protect the scenic beauty and sensitive natural environment of the Albion Basin, as well as the quality of the Little Cottonwood Canyon watershed.



## **Title 10: LAND USE REGULATIONS**

### **Chapter 8: NONCONFORMING BUILDINGS STRUCTURES AND USES**

#### **10-8-1: PURPOSE:**

This chapter regulates the continued existence of nonconforming uses and nonconforming structures. This chapter is intended to balance the public interests of (1) limiting enlargement, alteration, restoration, and replacement of nonconforming uses and nonconforming structures which would increase the discrepancy between existing conditions and the development standards prescribed by Alta Town Code; (2) preserving and protecting the scenic beauty and sensitive natural environment of the Albion Basin, as well as the quality of the Little Cottonwood Canyon watershed; (3) promoting economic and community development within the Town by supporting the ski resort-based economy and facilitating year-round residency.

#### **10-8-21: CONTINUATION MAINTENANCE PERMITTED:**

A nonconforming use may continue subject to the standards and limitations of this chapter. A nonconforming structure may continue to be used and occupied subject to the standards and limitations of this chapter. A nonconforming building or structure may be maintained if such use was lawfully existing at the time of the effective date hereof. (Ord., 6-8-1989)

#### **10-8-3: BURDEN OF PROOF:**

The property owner shall have the burden of establishing the legal existence of a nonconforming use or nonconforming structure. Any party claiming that a nonconforming use or nonconforming structure has been abandoned or otherwise terminated shall have the burden of establishing the abandonment or termination.

#### **10-8-42: REPAIRS, ~~AND~~ ALTERATIONS, DETERIORATION, AND DEMOLITION:**

##### **(A) Inside the Albion Basin Protection Overlay Zone:**

(1) Repairs and alterations may be made to a nonconforming structure or to a structure housing a nonconforming use so long as such repairs or alterations do not:

(a) enlarge the nonconforming structure; or

(b) change or increase the intensity of the nonconforming use.

(2) Restoration or reconstruction of a nonconforming structure is prohibited, and the nonconforming use of a structure is terminated, if:

(a) the structure is allowed to deteriorate to a condition that the structure is rendered uninhabitable and is not repaired or restored within one year after written notice to the property owner that the structure is uninhabitable; or

(b) the property owner has voluntarily demolished, over time and in total, more than 50% of the nonconforming structure or the structure that houses the nonconforming use.

(B) Outside the Albion Basin Protection Overlay Zone:

(1) Repairs and alterations to a nonconforming structure or to a structure housing a nonconforming use may be made, may enlarge the nonconforming structure, and may change or increase the intensity of the nonconforming use, so long as such repairs or alterations do not change the existing footprint of the structure.

(2) If repairs or alterations to a nonconforming structure or to a structure housing a nonconforming use will expand or move the footprint of the structure beyond the existing footprint, the structure and the use must comply with current Town ordinances following the repairs or alterations.

(3) Restoration or reconstruction of a nonconforming structure is prohibited, and the nonconforming use of a structure is terminated, if the structure is allowed to deteriorate to a condition that the structure is rendered uninhabitable and is not repaired or restored within one year after written notice to the property owner that the structure is uninhabitable.

(4) If a property owner voluntarily demolishes, over time and in total, more than 50% of a noncomplying structure or a structure housing a nonconforming use, the property owner may restore or reconstruct the structure within its existing footprint, and the nonconforming use of the structure will not be terminated.

~~Repairs and structural alterations may be made to a nonconforming building or to a building housing a nonconforming use so long as such repairs or alterations do not change or enlarge the nonconforming use. A nonconforming building or a building housing a nonconforming use may be enlarged with the approval of the appeal authority after recommendation of the building official to accommodate satisfaction of building code requirements and/or life safety improvements. (Ord. 1992-Z-1, 6-11-1992; and, 2010 Code)~~

**10-8-53: ALTERATION WHERE PARKING INSUFFICIENT:**

~~A building or structure lacking sufficient automobile parking space in connection therewith as required by this title may be altered, provided additional automobile parking space is provided to meet the requirements of this title for such alteration. (Ord., 6-8-1989)~~

**10-8-64: RESTORATION IN RESPONSE TO CALAMITY OF DAMAGED BUILDINGS:**

~~A If a nonconforming building or structure or a building or structure occupied by a nonconforming use which is involuntarily destroyed in whole or in part damaged or destroyed by fire, flood, wind, earthquake, avalanche, or other calamity or act of God, or the public enemy, and the nonconforming structure or nonconforming use has not been abandoned, the nonconforming structure may be restored and the nonconforming use may be resumed, may be restored and the occupancy or use of such building, structure, or part thereof, which existed at the time of such damage or destruction, may be continued or resumed; provided that such~~



restoration is started within a period of one year and is diligently prosecuted to completion, and that the intensity of the use is not increased. (Ord., 6-8-1989)

**10-8-75: ABANDONMENT BY ONE YEAR DISCONTINUATION OR VACANCY:**

A ~~building or~~ structure, or portion thereof, occupied by a nonconforming use, which is, or hereafter becomes, vacant and remains unoccupied by a ~~the~~ nonconforming use for a continuous period of one year, except for dwellings, shall not thereafter be occupied except by a use which conforms to the use regulations of the zone in which it is located. (Ord., 6-8-1989)

**10-8-86: OCCUPATION WITHIN ONE YEAR:**

A vacant ~~building or~~ structure may be occupied by a use for which the ~~building or~~ structure was designed or intended if so occupied within a period of one year after the use became nonconforming. (Ord., 6-8-1989)

**10-8-97: CHANGE OF USE:**

The nonconforming use of a ~~building or~~ structure may not be changed except to a conforming use; but where such change is made, the use shall not thereafter be changed back to a nonconforming use. (Ord., 6-8-1989)

**10-8-108: EXTENSION OF USE PERMITTED:**

A nonconforming use may be extended to include the entire floor area of the existing ~~building structure~~ in which it was conducted at the time the use became nonconforming. (Ord., 6-8-1989)

**10-8-119: NONCONFORMING USE OF LAND:**

The nonconforming use of land, existing at the time this title became effective, may be continued; provided, that no such nonconforming use of land shall in any way be expanded or extended either on the same or adjoining property; and provided, that if such nonconforming use of land, or portion thereof, is abandoned or changed for a period of one year or more, the future use of such land shall be in conformity with the provisions of this title. (Ord., 6-8-1989)

**10-8-1210: NONCONFORMING RESTAURANTS AND PRIVATE LOCKER CLUBS:**

Existing restaurants or nonprofit locker clubs which were nonconforming as of July 1, 1969, may, upon application, be granted a conditional use permit for a state store, subject to this code. (Ord., 6-8-1989)



## ORDINANCE REVISIONS RELATED TO WATERWAYS

### OPTION A

#### Step 1: Revise the definitions in 10-1-6 as follows:

##### 10-1-6 DEFINITIONS:

NATURAL WATERWAYS: Those areas varying in width along streams, creeks, gullies, or washes, rivulets, or culverts, whether constructed, altered, or naturally occurring, which normally contain or convey water either throughout or during only at least part of the year, including during runoff events, which are natural drainage channels as determined by the building official, and in which areas no buildings shall be constructed.

EROSION CHANNELS: Channels which have been created by erosion but which do not normally contain or convey water, except during local rainstorm, or snowmelt, or runoff events, and which do not support riparian vegetation or habitat, as evidenced by the presence of hydrophilic plants or other evidence. For purposes of this Title, Erosion Channels are not Waterways.

NET DEVELOPABLE ACREAGE: The area of ground within a lot that satisfies all of the following conditions:

- A. Slope less than thirty percent (30%); and
- B. Soils of a suitable depth and type based on soil exploration and percolation tests in accordance with the regulations of the Utah department of health to ensure against detriment to surface and groundwater quality; and
- C. Minimum distance from the high water line of any ~~natural~~ waterway of fifty feet (50'); and
- D. Free from unreasonable risk of harm to the property and the general public from natural hazards such as flood, landslide, avalanche, a high water table, or inordinate soil erosion after full compliance with applicable provisions of the building code governing topographic, structural and general design standards necessary to meet the maximum foreseeable risk of such hazards, and in discharge of the obligation imposed upon any person so developing and/or improving property subject to such natural hazards imposed by subsection 10-6A-8A of this title.

**Step 2: Revise the "Stream Regulations" in 10-6A-8, 10-6C-9, and 10-6D-14 as follows:**

G. Stream Regulations: No ~~portion of any building, structure, improvement or appurtenance shall~~ may be constructed, raised, or established, ~~the nearest point of which is (1) closer less than fifty feet (50') from outside the nearest high water line of any Natural Waterway, as determined by the Building Official, as defined in section 10-1-6 of this title; or (2), nor less than twenty feet (20') outside the top of the waterway embankment slope of any Waterway, as determined by the Building Official.~~ The approved site plan shall also indicate the extent and specific design of the proposed method of control of erosion during and after construction activities. The complete, approved erosion control system shall be installed and approved by the building official prior to commencement of any construction activities on any site.

## ORDINANCE REVISIONS RELATED TO WATERWAYS

### OPTION B

#### Step 1: Revise the definitions in 10-1-6 as follows:

##### 10-1-6: DEFINITIONS:

NATURAL WATERWAYS: Those areas varying in width along streams, creeks, gullies, or washes, rivulets, or culverts, whether constructed, altered or naturally occurring, which normally contain or convey water either throughout or during only at least part of the year, including during runoff events, which are natural drainage water channels as determined by the building official, and in which areas no buildings shall be constructed.

PERENNIAL WATERWAYS: Waterways which usually contain or convey water during the majority of the year, except for infrequent periods of drought. Any Waterway supporting riparian vegetation or habitat, as evidenced by the presence of hydrophilic plants or other evidence, shall for the purposes of this ordinance be defined and regulated as a Perennial Waterway.

INTERMITTENT WATERWAYS: Waterways which usually contain or convey water for less than the majority of the year, such as seasonal streams, particularly following local rainstorm or snowmelt events, and do not support riparian vegetation or habitat, as evidenced by the presence of hydrophilic plants or other evidence.

EROSION CHANNELS: Channels which have been created by erosion but which do not normally contain or convey water except during local rainstorm or snowmelt events, and which do not support riparian vegetation or habitat, as evidenced by the presence of hydrophilic plants or other evidence. For purposes of this Title, Erosion Channels are not Waterways.

NET DEVELOPABLE ACREAGE: The area of ground within a lot that satisfies all of the following conditions:

A. Slope less than thirty percent (30%); and

B. Soils of a suitable depth and type based on soil exploration and percolation tests in accordance with the regulations of the Utah department of health to ensure against detriment to surface and groundwater quality; and

C. Minimum distance from the high water line of any ~~Natural~~ Perennial Waterway of fifty feet (50'); and

D. Minimum distance from the high water line of any Intermittent Waterway of thirty-five feet (35'); and

E. Free from unreasonable risk of harm to the property and the general public from natural hazards such as flood, landslide, avalanche, a high water table, or inordinate soil erosion after full compliance with applicable provisions of the building code governing topographic, structural and general design standards necessary to meet the maximum foreseeable risk of such hazards, and in discharge of the obligation imposed upon any person so developing and/or improving property subject to such natural hazards imposed by subsection 10-6A-8A of this title.

**Step 2: Add the following language to the "Special Regulations" 10-6A-8, 10-6C-9, and 10-6D-14:**

PIPING OR RELOCATION OF EXISTING INTERMITTENT WATERWAYS:

Piping and/or relocation of existing intermittent waterways is permissible subject to the following:

A. A permit is required. Applicant shall provide necessary details to the Building Official to certify that the proposed changes will not adversely impact the capacity or functioning of the waterway, nor hinder the ability to deliver flood waters across and through applicant's property without adverse physical or environmental impact to either the applicant's property, structures (proposed and existing), or any surrounding or downstream properties.

B. Application for permit shall include, as a minimum:

1. Detailed site contour mapping (1 foot contours unless otherwise approved);
2. Detailed hydrologic and hydraulic calculations stamped by a Utah licensed professional engineer based on a 100-year storm or snowmelt event, whichever is the worst case; and
3. Design details of proposed ditch modification and alignment.

C. The permit will be subject to the review and approval of the Building Official and, as appropriate, the city attorney

D. Current and future landowner(s) are responsible for the perpetual and continual maintenance and condition of the ditch or piping along and through their property.

**Step 3: Revise the "Stream Regulations" in 10-6A-8, 10-6C-9, and 10-6D-14 as follows:**

G. Stream Regulations: No ~~portion of any building, structure, improvement, or appurtenance may shall be constructed, raised, or established~~ (1) ~~the nearest point of which is closer less than fifty feet (50') from outside~~ the nearest high water line of any ~~"natural waterway"~~ Perennial Waterway, as determined by the Building Official, as defined in section ~~10-1-6~~ of this title; (2) ~~nor less than twenty feet (20')~~ outside the ~~waterway top of the embankment slope of any Perennial Waterway, as determined by the Building Official; or~~ (3) ~~nor closer less than thirty-five feet (35') from outside the nearest high water line of any Intermittent Waterway.~~ The approved site plan shall also indicate the extent and specific design of the proposed method of control of erosion during and after construction activities. The complete, approved erosion control system shall be installed and approved by the building official prior to commencement of any construction activities on any site.

## **Title 8: UTILITIES**

### **Chapter 3: SEWER SERVICE REGULATIONS**

#### **8-3-1: DEFINITIONS:**

Unless the context specifically indicates otherwise, the meanings of terms used in this chapter shall be as follows:

**BIOCHEMICAL OXYGEN DEMAND (BOD):** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees centigrade (20°C), expressed in milligrams per liter.

**BUILDING DRAIN:** That part of the lowest horizontal piping of the drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (5') (1.5 meters) outside the inner face of the building wall.

**BUILDING SEWER:** The extension from the building drain to the public sewer or other place of disposal, also called "house connection".

**CESSPOOL:** An underground reservoir for liquid waste (as household sewage).

**EASEMENT:** An acquired legal right for the specific use of land owned by others.

**FLOATABLE OIL:** Oil, fat or grease in physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

**GARBAGE:** The animal and vegetable waste resulting from processes, trade or business, as distinct from domestic or sanitary wastes.

**INDUSTRIAL WASTES:** The wastewater from industrial processes, trade or business, as distinct from domestic or sanitary wastes.

**MAY:** Is permissive (see definition of Shall).

**NATURAL OUTLET:** Any outlet (including storm sewers) into a watercourse, pond, ditch, lake or other body of surface or groundwater.

**OWNER:** The owner of the real property to which the sewer system is connected, or to which the sewer system is required to be connected, which ownership is reflected on the records of the Salt

Lake County recorder as of the date a charge or fee is assessed by the town. Any person who sells real property, subject to a charge or fee assessed under this chapter, by means of a contract or instrument which does not transfer legal title to the buyer but only purports to transfer equitable title to the buyer, shall be deemed the "owner" of the premises for purposes of this chapter.

PERSON: Any individual, firm, company, association, society, corporation or group.

pH: The logarithm of the reciprocal of the hydrogen ions concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of  $10^7$ .

PRIVY: A small building having a bench with holes through which the user may defecate or urinate.

PROPERLY SHREDDED GARBAGE: The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch ( $1/2$ " ) (1.27 centimeters) in any dimension.

PUBLIC SEWER: A common sewer controlled by a governmental agency, public utility or the town.

RESIDENTIAL FLOWS: The flow strengths and flow volume.

RESIDENTIAL, HEAVY AND LIGHT COMMERCIAL, AND INDUSTRIAL USERS: Any industrial or commercial user who discharges waste into the system requiring higher than normal biochemical oxygen demand, or greater than normal total suspended solids.

SANITARY SEWER: A sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of groundwater, stormwater and surface waters that are not admitted intentionally.

SEPTIC TANK: A tank in which the solid matter of continuous flowing sewage is disintegrated by bacteria.

SEWAGE: The spent water of a community. The preferred term is "wastewater".

SEWER: A pipe or conduit that carries wastewater or drainage water.

SEWER LATERAL: Sewer piping intended to serve a single building or residence.

SEWER MAINLINE: Sewer piping intended to serve more than one building or residence..

SHALL: Is mandatory (see definition of May).

SLUG: Any discharge of water or wastewater which in concentration of any given constituent or



in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty four (24) hour concentration of flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

**STORM DRAIN** (Sometimes Termed "STORM SEWER"): A drain or sewer for conveying water, groundwater, subsurface water or unpolluted water from any source.

**SUPERINTENDENT**: The person or agency charged with management of the system as designated by the town.

**SUSPENDED SOLIDS**: Total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods For The Examination Of Water And Wastewater" and referred to as nonfilterable residue.

**SYSTEM**: The sewer, wastewater or combined wastewater and stormwater or surface water facilities of the town.

**UNPOLLUTED WATER**: The water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.

**WASTEWATER**: The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater that may be present.

**WASTEWATER FACILITIES**: The structures, equipment and processes required to collect and carry away wastewater and industrial wastes.

**WATERCOURSE**: A natural or artificial channel for the passage of water, either continuously or intermittently. (Ord. 1994-O-1, 1-13-1994; amd. 2010 Code)

#### **8-3-4: USE OF PUBLIC SEWERS REQUIRED:**

- A. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the town, or in any area under the jurisdiction of said town, any human excrement, garbage or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the town, or in any area under the jurisdiction of the town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.
- C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

D. The owners of ~~all every~~ houses, buildings, ~~structure,~~ or properties used for human occupancy, employment, recreation, ~~s~~ or other purposes, situated within the town, is hereby required, at the owner's expense, to install and maintain suitable sewer facilities therein, and to connect such facilities directly with the public sewer in accordance with the provision of this chapter, within sixty (60) days after date of official notice to do so, provided the sewer is within three hundred feet (300') of the owner's property line and shall be charged a quarterly sewer fee effective sixty (60) days after receiving notice. (Ord. 1994-O-1, 1-13-1994)

#### **8-3-5: APPLICATION FOR SEWER CONNECTION:**

**A. Required:**

1. Any person, other than a subdivider or developer seeking ~~multiple~~ connections, who desires or is required to secure a new connection to the town sewer system, shall file with the sewer department for each such connection a written and signed connection application in the form supplied by the town.
2. All owners or other persons who use the sewer system shall also adhere to this chapter and to the Cottonwood improvement district rules and regulations pertaining to wastewater treatment.

B. Subdividers, Developers: Whenever a subdivider or developer desires or is required to install sewer connections and extensions for a subdivision or development, the subdivider or developer shall enter into a written agreement which shall constitute an application for permission to make the extensions and connections, and an agreement specifying the terms and conditions under which the sewer extensions and connections shall be made and the payments that shall be required. (Ord. 1994-O-1, 1-13-1994)

#### **8-3-6: PRIVATE WASTEWATER DISPOSAL:**

A. Permitted: Where a public sanitary sewer is not available, within 300 feet of the building, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.

B. Permit Required: Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit issued by the town. The application for such permit shall be made on a form furnished by the town, which the applicant shall supplement by any plans, specifications and other information as deemed necessary. A permit and inspection fee shall be paid to the town at the time the application is filed.

C. Inspections: Permission to use the system for a private wastewater disposal system shall not be authorized until the installation is completed in compliance with the approved plans applicable with all state and local codes and this chapter. Authorized town employees or representatives shall be allowed to inspect the work at any stage of construction. The applicant for the permit shall notify the town administrator when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within two (2) business days of the receipt of notice by the town administrator.

D. Compliance With State: The type, capacities, location and layout of a private wastewater disposal system shall comply with all recommendations of the state department of

environmental quality. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

- E. When Public Sewer Available: At such time as a public sewer becomes available to a property served by a private wastewater disposal system, the owner shall make a direct connection to the public sewer within sixty (60) days after receiving, and subject to, notice of availability from the town, in compliance with this chapter, and shall pay the quarterly fee to the town, and the private disposal system shall be disconnected and made inoperable.
- F. Operation And Maintenance: When a public sewer is not available, the owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, and at no expense to the town. All private wastewater shall be disposed of at the sewer dump station located within the town. (Ord. 1994-O-1, 1-13-1994)
- G. Wastewater disposal within Albion Basin Protection Overlay Zone:

1. Where a public sanitary sewer is available within 300 feet of the building, buildings constructed within the Albion Basin Protection Overlay Zone shall be connected to the public system using AWWA C-900 pipe.
2. Should connection to a public sanitary system not be available within 300 feet of the building, a private wastewater disposal system shall be installed which shall meet the following requirements:
  - Written approval by the Salt Lake County Health Department.
  - Disposal system shall consist of holding tank(s) equipped with an effective alarm system that remotely notifies the property owner and the Town of Alta in the event that the holding tank reaches 75% of full level.
  - System shall be equipped with an automatic water shut-off feature to the building in the event that the holding tank reaches 75% of full level.
  - Building owner shall maintain and submit to the Town of Alta pumping records for each holding tank at least once every year.

### **8-3-10: SANITARY SEWERS, BUILDING SEWERS AND CONNECTIONS:**

- A. Separate Connection Required; Exceptions: A separate and independent building sewer shall be provided for every building; except, where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole system will be considered as one building sewer. Current users in violation of this subsection but which comply with regulations of the Cottonwood improvement district shall be exempt. The town does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

- B. Existing Building Sewers: Building sewers which formerly serviced buildings, which buildings no longer exist or are torn down, may be used in connection with newly constructed buildings only when the building sewer is examined and tested by the town sewer and water superintendent and found to meet all requirements of this chapter.
- C. Construction, Installation: The size, slope, alignment, materials or construction of all sanitary sewers, including building sewers, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing codes, or other applicable rules and regulations of the town and the state. In the absence of these code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF manual of practice no. 9 shall apply. Sewer mainline and sewer lateral piping within the Albion Basin Protection Overlay Zone shall be constructed of AWWA C-900 piping unless otherwise approved by Town.
- D. Elevation: Whenever possible, the building sewer shall be brought from the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. Where such means are necessary, the owner shall be responsible for all installations, maintenance and operating costs for their operations.
- E. Polluted Surface Drainage: No person shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer, unless such connection is approved by the town and the state department of environmental quality for purposes of disposal of polluted surface drainage.
- F. Connection Requirements: The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing codes, or other applicable rules and regulations of the town and the state, or the procedures set forth in appropriate specifications of the ASTM and the WPCF manual of practice no. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the town before installation. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town and to a condition equal to or better than the condition existing prior to the work being performed. (Ord. 1994-O-1, 1-13-1994)