

TROPIC TOWN ORDINANCE NO. 2019-1
AN ORDINANCE OF THE TROPIC TOWN COUNCIL
AUTHORIZING TEMPORARY WATER & SEWER MORATORIUM FOR
TROPIC TOWN, GARFIELD COUNTY, STATE OF UTAH

WHEREAS, the Town of Tropic is a municipal corporation of the State of Utah which provides water & sewer services within its municipal boundary; and

WHEREAS, Tropic is receiving additional requests for wastewater and culinary connections and services within the Town; and growth in the Town requires the development of additional water & sewer infrastructure to provide these services; and

WHEREAS, in order for Tropic Town to continue to provide these services, time is needed to assess its water source supply and storage, as well as sewer lagoon & capacity; and

WHEREAS, the Town has received a sewer study report from Jones & DeMille Engineering regarding its ability to provide sanitation services for the community; and

WHEREAS, the Town has received a culinary water report study from Sunrise Engineering regarding its water source supply and storage; and

WHEREAS, the Town acknowledges the report findings that Tropic is operating at close to full sewer capacity, with minimal ability to accept greater inflows without changes to its sewer lagoon capacity; and

WHEREAS, Tropic has limited water resources to provide additional safe culinary water; and the means needed for adequate storage capacity; and

WHEREAS, the Town of Tropic possesses authority to regulate and control culinary water and wastewater connections to protect the health, safety and welfare of citizens and the public with valid existing culinary water and wastewater services pursuant to existing ordinances;

THEREFORE, be it resolved by the Town Council of Tropic, Utah, State of Utah as follows:

Single-Family Dwelling: means the use of a dwelling designed or arranged as a Tropic Town place of residency.

1. A moratorium is hereon placed for the issuance of new water & sewer connections; until such time as infrastructure for additional sewer lagoon capacity and culinary water source supply, storage and delivery systems are resolved and in place with supply and capacity available.
2. The Town finds a compelling public interest to enact this ordinance and concludes that it is in the best interest of the Town that the moratorium in this Ordinance contains an exception to approve the reactivation of forfeited Residential Single-Family Dwelling Utility connections to be used for Single-Family Dwellings; under the following criteria:
 - a. Connection is currently physically installed on property.
 - b. Proof of building permit from County Building Inspector; and as outlined by ordinance, having one-(1) year to connect to the Town's water/sewer systems, after which if not connected will be void.

c. Its Use ~ Place of Residency; not for B&B, Vacation Rental, or other nightly rental or commercial business.

3. The Town also finds that is in the best interest of the Town to approve currently owned culinary water & waste water connection be sold privately using the following exchange; and will expire when the moratorium is lifted:

Residential	➡	Residential
Commercial	➡	Residential
Commercial	➡	Commercial

4. In the event that the Town, in its sole discretion, determines that a water sewer connection may be moved or relocated, the owner shall pay the expense of moving or relocation and any additional costs that may develop.

5. A Change of Ownership must be filed with the Town Office.

NOW THEREFORE, be is resolved by the Town Council of Tropic Town, State of Utah;

The Tropic Council concludes this Ordinance shall become effective on the day after the final passage.

THIS ORDINACNE duly adopted upon this 11th day of April, 2019 by the following vote:

Yes: 5

No:

By: /s/ WaLon K Brinkerhoff
WaLon K Brinkerhoff, Mayor

Attest:

/s/Marie H Niemann
Marie H Niemann – Tropic Town Clerk

Seal:

Drafted 5/29/2018
Revised: 9/7/2018
Revised: 9/24/2018
Revised: 10/24/2018
Revised: 11/1/2018

