
Document Control Changes: Created 12 December 2006 (was CF-036-WS-06), New Format May 2016

BE IT ORDAINED by the Town Council of the Town of Cedar Fort, Utah County, Utah that an ordinance pertaining to Well/Septic System Locations be enacted as follows:

Well/Septic System Locations

1.0 The people of the Town of Cedar Fort find and declare as follows:

Whereas, the Town has, at times, had insufficient culinary water available to provide a water connection to the Town water system for persons requesting such connection, and

Whereas, certain land owners may have water rights and/or culinary wells and desire to build on their property, and

Whereas, the Town does not have a public sewer system for removal and disposal of sewage waste, and

Whereas, all Town residents are required to furnish a private sewage disposal system (septic tank and drain field or deep trench), and

Whereas, Utah County Health Department and State of Utah regulations govern the placement of wells and septic systems in relation to each other, other buildings, and property lines.

Now, Therefore, be it ordained by the Town Council of the Town of Cedar Fort that an ordinance be established as follows:

2.0 Conclusions

This ordinance is established to comply with or exceed the requirements set forth in the State of Utah rules for waste water systems (**R317. Environmental Quality, Water Quality**).

Specific reference is made here to R317 Section 4.0 - Site location and Installation

2.1 Onsite wastewater systems are not suitable for all areas and situations. Location and installation of each system, or other approved means of disposal, shall be such that with reasonable maintenance, it will function in a sanitary manner and will not create a nuisance, public health hazard, or endanger the quality of any waters of the State. Systems shall be located on the same lot as the building served.

2.2 In determining a suitable location for the system, due consideration shall be given to such factors as: size and shape of the lot; slope of natural and finished grade; location of existing and future water supplies; depth to ground water and bedrock; soil characteristics and depth; potential flooding or storm catchment; possible expansion of the system, and future connection to a public sewer system.

2.3 Compliance with Tables 1 and 2 below is MANDATORY for all major subdivisions. Individuals may be exempted from strict compliance with Table 1 (Minimum Lot Size) if a scaled and dimensioned drawing of the applicant's lot and all adjacent properties shows that all the requirements of Table 2 (Minimum Horizontal Distances) can be met for the applicant and all adjoining lots. Applicant must sign a waiver to hold the Town harmless in any actions involving water contamination on applicant's property.

2.4 Lot Size Requirements.

WATER SUPPLY		SOIL TYPE	1	2	3	4	5
Public (b)			12,000 sq. ft.	15,000 sq. ft.	18,000 sq. ft.	20,000 sq. ft.	--
Individual each lot (c)			1 acre	1.25 acres	1.5 acres	1.75 acres	--
SOIL TYPE	DRAINAGE	PERCOLATION RATE (d) (e)	APPROXIMATE SOIL CLASSIFICATION (USDA Soil Classification System)(e)				
1	Good	1-15	Sand, Loamy Sand				
2	Fair	16-30	Sandy Loam, Loam				
3	Poor	30-45	Loam, Silty Loam				
4	Marginal	46-60	Sandy Clay Loam, Silty Clay Loam, (g).				
5	Unacceptable	(h)	Clay Loam, Clay Bedrock, fractured bedrock, hardpan, (including unacceptable ground water table elevations)				

FOOTNOTES

(a) Excluding public streets and alleys or other public rights-of-way, lands or any portion thereof abutting on, running through or within a building lot for a single-family dwelling. The shape of the lot must also be acceptable to the Town.

(b) This category shall also include lots served by a nonpublic water source that is not located on the lots.

(c) See the isolation requirements in Table 2.

(d) When deep wall trenches or seepage pits will be used, the percolation test may be estimated by a qualified person in accordance with R317-4-9.

(e) When there is a substantial discrepancy between the percolation rate and the approximate soil classification, it shall be resolved to the satisfaction of the Town, or the soil type requiring the largest lot shall be used.

(g) These soils are usually considered unsuitable for absorption systems, but may be suitable, depending upon the percentage and type of fines in coarse-grained porous soils, and the percentage of sand and gravel in fine-grained soils.

(h) Faster than one minute per inch, slower than 60 minutes per inch, or unsuitable soil formations.

Determination of minimum lot size does not preempt the Town from establishing larger minimum lot sizes.

2.5 Isolation of Onsite Wastewater Systems. Minimum distances between components of an onsite wastewater disposal system and pertinent ground features shall be as prescribed in Table 2.

TABLE 2
Minimum Horizontal Distance in Feet (a)
(Undisturbed Earth)

FROM	TO	Building Sewer	Septic Tank
Public Water Supply Sources			
	Protected Aquifer Well (c)	100	100
	Unprotected Aquifer Well (c)	(d)	(d)
	Spring (c)	(d)	(d)
Individual or Nonpublic Water Supply Sources			
	Grouted Well (k)	25	50
	Ungouted Well (k)	25	50
	Spring (c)	25	50
Non-culinary Well or Spring			
		--	25
Watercourse (live or ephemeral streams, river, subsurface drain canal, etc.)			
		--	25
Lake, Pond, Reservoir			
		--	25
Culinary Water Supply Line			
		(g)	10
Foundation of any building including garages and outbuildings:			
	without foundation drains	3	5
	with foundation drains	3	25
Curtain drains:			
	located up gradient	--	10
	located down gradient	10	25
Property line			
		5	5
Swimming pool wall (subsurface)			
		3	10
Down-slope cut bank or top of embankment			
		--	10
Dry washes, gulches, and gullies			
		--	25
Catch basin or dry well			
		--	5
Trees and shrubs (h)			
		--	--
Deep Wall Trench			
		--	5
Absorption Bed			
		--	5
Standard/Chamber Trench			
		--	5

Minimum Horizontal Distance in Feet (a) (Undisturbed Earth)				
FROM	TO	Standard Trench	Deep Wall Trench	Absorption Bed
Public Water Supply Sources				
	Protected Aquifer Well (c)	100	100	100
	Unprotected Aquifer Well (c)	(d)	(d)	(d)
	Spring (c)	(d)	(d)	(d)
Individual or Nonpublic Water Supply Sources				
	Grouted Well (k)	100	100	100
	Ungouted Well (k)	200(e)	200(e)	200(e)
	Spring (c)	200(e)	200(e)	200(e)
	Non-culinary Well or Spring	100	100	100
	Watercourse (live or ephemeral stream, river, subsurface drain canal, etc)	100(f)	100(f)	100(f)
	Lake, Pond, Reservoir	100	100	100
	Culinary Water Supply Line	10(g)	10(g)	10(g)
Foundation of any building including garages and outbuildings:				
	without foundation drains	5	20	5
	with foundation drains	100	100	100
Curtain drains:				
	located up gradient	20	20	20
	located down gradient	100	100	100
	Property line	5	10	10
	Swimming pool wall (subsurface)	25	25	25
	Down-slope cut bank or top of embankment	50	50	50
	Dry washes, gulches, and gullies	50	50	50
	Catch basin or dry well	25	25	25
	Trees and shrubs (h)	5	5	5
	Deep Wall Trench	10	(i)	10
	Absorption Bed	10	10	10
	Standard Trench	(j)	10	10

FOOTNOTES

(a) All distances are from edge to edge. Where surface waters are involved, the distance shall be measured from the high water line.

(c) As defined by R309-113-6. Distances to avoid contamination cannot always be predicted for varying conditions of soil or underlying bedrock and ground water. Absorption systems should be located as far away from wells, springs, and other water supplies as is practicable, and not on a direct slope above them. Compliance with separation requirements does not guarantee acceptable water quality in every instance. This is particularly applicable with shallow sources of ground water. Where geological or other conditions warrant, greater distances may be required by the Town.

(d) It is recommended that the listed concentrated sources of pollution be located at least 1500 feet or as required by the Drinking Water Source Protection rules, from unprotected aquifer wells and springs used as public water sources. Any proposal to locate closer than 1500 feet from the property line must be reviewed and approved by the Town, taking into account geology, hydrology, topography, existing land use agreements, consideration of the drinking water source protection requirements, protection of public health and potential for pollution of water source. Any person proposing to locate an onsite wastewater system closer than 1500 feet to a public unprotected aquifer well or spring must submit a report to the Town which considers the above items. The minimum required isolation distance where optimum conditions exist and with the approval of the Town may be 100 feet. R309-113 requires a protective zone, established by the public water supply owner, before a new source is approved. Public water sources which existed prior to the requirement for a protective zone may not have acquired one. Such circumstances must be reviewed by the Town, taking into account geology, hydrology, topography, existing land use agreements, consideration of the drinking water source protection requirements, protection of public health and potential for pollution of water source.

(e) Although this distance shall be generally adhered to as the minimum required separation distance, exceptions may be approved by the Town, taking into account geology, hydrology, topography, existing land use agreements, consideration of the drinking water source protection requirements, protection of public health and potential for pollution of water source. Any person proposing to locate an absorption system closer than 200 feet to an individual or nonpublic ungrouted well or spring must submit a report to the Town which considers the above items. In no case shall the Town grant approval for an onsite wastewater system to be closer than 100 feet from an ungrouted well or a spring.

(f) Lining or enclosing watercourses with an acceptable impervious material may permit a reduction in the separation requirement. In situations where the bottom of a canal or watercourse is at a higher elevation than the ground in which the absorption system is to be installed, a reduction in the distance requirement may be justified, but each case must be decided on its own merits by the Town.

(g) If the water supply line is for a public water supply, the separation distance must comply with the requirements of R309. No water service line shall pass over any portion of an onsite wastewater system.

(h) Components that are not watertight should not extend into actual or anticipated root systems of nearby trees. Trees and other large rooted plants shall not be allowed to grow over onsite wastewater systems. However, it is desirable to cover the area over onsite wastewater systems with lawn grass or other shallow-rooted plants. Onsite wastewater systems should not be located under vegetable gardens.

(i) For deep wall trenches, the separation distance must be at least equal to 3 times the deepest effective depth of either trench with a minimum separation of 12 feet between trenches.

(j) See R317-4-9, Table 9.

(k) A grouted well is a well constructed as required in the drinking water rules R309.

The above requirements represent minimum distances and may be increased if specific situations warrant increased distances.

3.0 Judicial Review

Any legal action challenging any decision of the Town Council, or other governmental body performing a function under this ordinance shall be filed in a court of competent jurisdiction within 30 days of the action challenged.

4.0 Severability

If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

5.0 Conflict With Other Ordinances Of The Town

If any provision of this ordinance is in conflict with a provision of another ordinance of the Town or State Statutes or County requirements, then the most stringent requirement shall govern.

6.0 Effective Date

Due to impending development within the town, it is the opinion of the Town Council that an emergency exists. Therefore, in order to preserve properly the peace, health, safety and general welfare of the Town of Cedar Fort and its inhabitants, this ordinance will take effect upon its passage by majority vote of the Town Council and posting in three public places within the Town

Approved and passed this 24th Day of May 2016

Attested by: Vonda Cook
Vonda Cook, Town Clerk

TOWN OF CEDAR FORT
Howard Anderson
Howard Anderson, Mayor

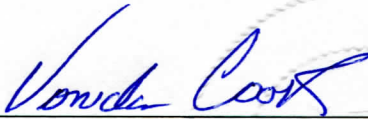
Mayor, Howard Anderson	Voted <u>yea</u>
Councilmember Ellen Cibula	Voted <u>yea</u>
Councilmember Larry Mohler	Voted <u>yea</u>
Councilmember Chris Murphy	Voted <u>YEA</u>
Councilmember Richard Stark	Voted <u>YEA</u>

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, VONDA COOK, Town Recorder of Cedar Fort Town, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the Town Council of Cedar Fort Town, Utah, on the 24th day of May 2016, entitled

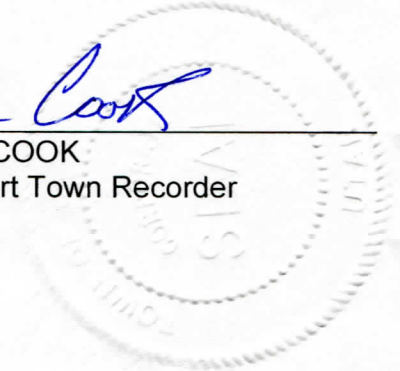
“WELLS/SEPTIC SYSTEM LOCATIONS OF THE TOWN OF CEDAR FORT, UTAH”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Cedar Fort Town Utah this 24th day of May 2016.



VONDA COOK
Cedar Fort Town Recorder

(SEAL)



AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Vonda Cook, Town Recorder of Cedar Fort Town, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Cedar Fort Town Council on the 24th day of May 2016 and herein referred to as:

“WELLS/SEPTIC SYSTEM LOCATIONS OF THE TOWN OF CEDAR FORT, UTAH”

SUMMARY:

The above named ordinance was enacted to define and describe the requirements, limitations and restrictions on placement of septic systems within the Town of Cedar Fort. Specific tables define distances between existing utilities, structures, water lines and proposed septic system components. These tables are from Department of Health requirements.

The three places are as follows:

1. Post Office
2. Town Hall
3. Cedar Valley Store



Vonda Cook
Cedar Fort Town Recorder

Date of Posting 25 May 2016