

CITY COUNCIL MEETING
JUNE 3, 2010

Janae Fong, who owns and operates the Golden Jade Chinese Gourmet Restaurant, is looking to purchase the property at 90 North 800 East. (Formerly B's Outback Motorsports & the Factory Pizza) She plans to remodel the building to use for other businesses. She will come back later for Site Plan approval if she proceeds with the purchase. This building has been connected to a septic tank in the past and she would like to continue to use a septic tank because of the hardship of hooking up to the sewer system. The main sewer line does not run down the front of her property. There is a gap at this location. It could be problematic to get UDOT to allow digging in the Highway. Her other option would be to try to get easements from the property owners to the south and run a line over 300 feet to the main on the other side of the Phillips 66. This could also be difficult and expensive to accomplish.

It would be a benefit to the city to have someone fix up this property and put it to use again. Janae has experience running successful businesses and is in a situation to be able to fix up this property. It probably would be in the best interest of the city to try to work with her to improve this location. City Code 13.12.140 allows hardship exceptions by the City Council for sewer connections.

month (eighteen percent annual percentage rate) on the unpaid or delinquent arrears balance for sewer service, which shall begin to accrue on the thirty-first day after the billing date. (Ord. § 93-02 § 1 (part): prior code § 14-219 (E))

13.12.130 Service restoration fee.

Any water service disconnected or interrupted as a result of nonpayment of sewer service charges shall be subject to a service restoration fee in an amount set by resolution of the City Council, if the service is restored during regular business hours of eight a.m. to five p.m., Monday through Friday. If the service is restored at hours other than regular business hours as defined herein, including Saturday, Sunday or any holiday, the service restoration fee shall be an amount set by resolution of the City Council. The fee shall be paid prior to reconnection or restoration of that service. Service restoration may be set from time to time by resolution of the city council. (Ord. 93-02; Ord. 08-06 § 1 (part): prior code § 14-219 (F))

13.12.140 Use required.

It is unlawful for the owner or any other person occupying or having charge of any premises within the municipality which are located within three hundred feet of a sewer main to dispose of sewage therefrom by any means other than by use of the municipal sewer system. It is unlawful to construct or to continue the use of any other sewage disposal system such as a privy, vault, cesspool or septic tank on the property except by written approval of the governing body in case of undue hardship. (Prior code § 14-220)

13.12.150 Connections-Authority to make.

It is unlawful for any person to connect any drain or sewer pipe with the municipal sewer system unless the person is a duly licensed plumber or unless, in the absence of a duly licensed plumber, any proposed connection to, alteration of, or change of connection to the sewer system shall be first submitted to the sewer superintendent for review and approval. After such approval, the installation or work done shall be subject to inspection by the superintendent or his agent. (Prior code § 14-221)

13.12.160 Laying, repairing, altering or connecting drains or pipes-Permit-Required.

It is unlawful for any person to directly or indirectly engage in laying, repairing, altering or connecting of any drain or sewer pipe connected with or part of the municipal sewer system without first having received a permit from the office of the recorder/clerk or the sewer superintendent. (Prior code § 14-222)

13.12.170 Connections-Plumbing standards.

Permits to connect to the municipal sewer system shall not be issued unless the plumbing in the house or building to be connected is in accordance with the provisions of the