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DOUG CROFTS, WEBER COUNTY RECORDER
30-JUN-06 3:11 PM FEE \$1.00 DEP SGC
REC FOR: HOOPER CITY

ORDINANCE NO. 2005-13

**ORDINANCE SETTING FORTH REQUIREMENTS OF DEVELOPERS, AND
NEW OWNERS OR BUILDERS REGARDING PRESSURE IRRIGATION**

WHEREAS, water is a scarce and very valuable resource within Hooper City and throughout the State of Utah; and

WHEREAS, the City Council desires to reduce waste and duplication in the use of water; and

WHEREAS, the City has determined that the use of culinary water for irrigation purposes is wasteful and counterproductive; and

WHEREAS, secondary pressure irrigation services are available to a significant portion of the citizens of Hooper, and over time, will be available to many more citizens; and

WHEREAS, the City Council desires to ensure the eventual switch to secondary pressure irrigation for irrigation purposes,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
HOOPER CITY THAT THE FOLLOWING ORDINANCE BE ADOPTED**, as follows:

SECONDARY WATER ORDINANCE

Sections

- 6-5-1 **Purpose**
- 6-5-2 **Developers Required to Install Pressure Irrigation System**
- 6-5-3 **Hook up Required in New Subdivisions when Available**
- 6-5-4 **Developers Required to Escrow Funds**
- 6-5-5 **Required Hook up for New Builders and New Buyers**
- 6-5-6 **Exception**
- 6-5-7 **Penalty**

6-5-1 Purpose: The purpose of this ordinance is to require developers to install pressure irrigation systems in all new subdivisions and commercial sites within the City of Hooper and to ensure that all new home buyers and those who purchase existing homes in Hooper connect to the secondary pressure irrigation system, if it is available at the time of purchase or construction.

6-5-2 Developers Required to Install Pressure Irrigation System: Developers of all new subdivisions within the City of Hooper are required to install all necessary improvements to ensure each lot within the subdivision is able to connect to a secondary pressure irrigation system. If a pressure

RECORDERS NOTE: PRICE WILL ASSISTANCE TO ALL PARCELS IN HOOPER CITY

irrigation system is available in the subdivision, the developer must ensure each lot is connected to the system as part of their development agreement with the city. If a pressure irrigation system is not yet available for a subdivision, the developer must install a dry system what will enable each lot to connect to a secondary pressure system as soon as it becomes available in that area

6-5-3 Hook up Required in New Subdivisions when Available: Home owners in all subdivisions that are approved by the City after 2000 are required to connect to a secondary pressure irrigation system within thirty (30) days after it becomes available to the subdivision unless exempted by the city administrators for a minor subdivision.

6-5-4 Developers Required to Escrow Funds: When a subdivision is built in an area where secondary pressure irrigation is not yet available, developers must escrow funds to cover the cost of water shares, or the actual water shares, and connection fees to a secondary system for each lot in the subdivision with the City or with the applicable water company. These funds will be held in escrow until such time as a secondary pressure system is available in the area and will then be used to pay for the connection and water shares for each lot.

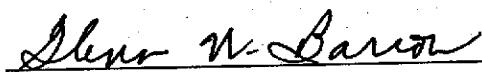
6-5-5 Required Hook up for New Builders and New Buyers: Any person who builds a new home or buys an existing home is required to connect to a pressure irrigation system upon occupancy, if a system is available to that lot.

6-5-6 Exception: Section Five shall not apply to owners who lawfully use water from a well or canal to irrigate their property.

6-5-7 Penalty: A violation any part of this ordinance is a Class C Misdemeanor.

BE IT FURTHER ORDAINED that this Ordinance shall become effective fifteen (15) days after passage and after appropriate filing and publication.

PASSED this 15th day of December, 2005.



Glen Barrow, Mayor

ATTEST:

Delora M. Fowers
City Recorder

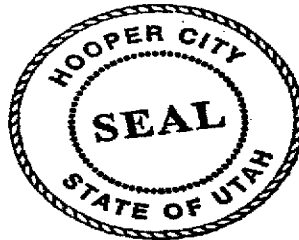
Voting:

| | |
|----------------|------------|
| Council Member | <u>yes</u> |
| Council Member | <u>yes</u> |
| Council Member | <u>yes</u> |
| Council Member | <u>yes</u> |
| Council Member | <u>yes</u> |
| Council Member | <u>yes</u> |
| Council Member | <u>yes</u> |

[Signature]
CITY COUNCIL CHAIR

This is a certified copy of Ordinance No. 2005-13, which is the Ordinance setting forth requirements of developers, and new owners or builders regarding pressure irrigation.

Delora M. Fowers
Delora M. Fowers, Hooper City Recorder



DESCRIPTION:

All Real Property located within the boundaries of Hooper City