

TOWN OF KANARRAVILLE, UTAH  
ORDINANCE NO. 13-02-03A

AN AMENDMENT TO AN ORDINANCE OF THE TOWN OF KANARRAVILLE ESTABLISHING THE WATER DEPARTMENT AND THE OPERATION AND MAINTENANCE OF THE WATER SYSTEM OF KANARRAVILLE AS AMENDED ON 08-12-21

WHEREAS, the Town of Kanarraville has constructed a water system for the citizens of Kanarraville; and

WHEREAS, the Town Board of Kanarraville has determined to establish a Water Department to govern the maintenance and operation of the water system; and

WHEREAS, the Town of Kanarraville Water Department must be created by an ordinance as required by Title 10-8-71, Utah Code Annotated; and

WHEREAS, the Town Board of Kanarraville has considered the subject of establishing a Water Ordinance and, through it, the creation of a Water Department and has formulated, reviewed and considered the establishment of a Water Ordinance and has made all necessary revisions as determined necessary; and

WHEREAS, the Kanarraville Town Board has conducted a public hearing and has held other meetings to receive comment on the proposed Water Ordinance as required by Title 10-7 et. Seq. Utah Code Annotated; and

WHEREAS, following the Public Hearing conducted by the Town Board and after careful consideration the Kanarraville Town Board has determined that it is in the best interests of the public health, safety and welfare of the residents of Kanarraville that a Kanarraville Town Water Ordinance now be adopted.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF KANARRAVILLE, UTAH AS FOLLOWS:

Section 1: WATER DEPARTMENT. The Water Department of the Town of Kanarraville is hereby created. It shall administer the operation and maintenance of the water system of the town.

Section 2: SUPERINTENDENT. There is hereby created the position of Superintendent of the Water Department.

Section 3: DUTIES OF THE SUPERINTENDENT. The Superintendent of the water system shall manage and supervise the town water system pursuant to the provisions of this part and pursuant to ordinances, rules and regulations adopted by the Town Council from time to time prescribing his powers and duties and directing the manner and frequency with which he shall make reports to the mayor relating to the water system. All of the functions and activities of the superintendent shall be carried on under the direction of the mayor.

Section 4: APPLICATION FOR WATER CONNECTION. Any person who resides within the Kanarraville town limits, other than someone seeking multiple water connections, who desires or is required to secure a

new connection to the town water system, shall file with the Water Department for each such connection a written and signed connection application in substantially the following form:

KANARRAVILLE, UTAH  
APPLICATION FOR WATER CONNECTION

TO THE TOWN OF KANARRAVILLE, UTAH

I hereby apply to the Town of Kanarraville for permission to connect my premises at \_\_\_\_\_ with the Town of Kanarraville water system and hereby agree as follows:

1. (a) The town shall make the requested connection from its water main to and including the water meter and up to my property line or to the meter if the meter is installed within my property. I agree to pay the town the connection charges and fees of \_\_\_\_\_ and inspection and overhead charges and other miscellaneous costs of the city as may be fixed by the Town Council by resolution or ordinance. The connection charge must be paid within six months of the date that the Town Council agrees to my request for a water hook-up. The work of extending the water connection from the point to which the city installs it to the place at which the water is to be used shall be my responsibility and shall be performed at my sole cost. (b) The connection so made by the city, including the meter, shall remain the property of the city at all times, and the city shall have access thereto at all times.
2. The location of the meter, whether on my premises, or at some point near my premises, may be decided solely by the Town of Kanarraville, Utah.
3. Before making connection with the water system, I shall cause the plumbing upon my premises to be inspected by the town and if the plumbing is not approved, I will cause the plumbing to be rectified at my own expense to meeting the requirements of the town or of any other governmental agency having jurisdiction to regulate the water system within the town.
4. I will be bound by the rules, regulations, resolutions or ordinances enacted now or hereafter by the Town of Kanarraville, Utah, applicable to the town's water system.
5. The purpose for which the water connection will be used is \_\_\_\_\_. The town shall have free access to the lines and meters installed under this agreement and, at reasonable times, through my property if necessary.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Applicant)

Section 5: Whenever a sub-divider or developer desires or is required to install water connections and extensions for a subdivision or development, the sub-divider or developer shall enter into a written

extension 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 water extensions and connections shall be made and the payments that shall be required.

Section 6: APPLICATION FOR WATER SERVICE. Any person who resides within the Kanarrville town limits who desires or is required to secure water service when such service is available from the town water system, shall file with the Water Department a written application and agreement for the service which shall be in substantially the following form:

KANARRVILLE, UTAH  
APPLICATION FOR WATER SERVICE

TO THE TOWN OF KANARRVILLE, UTAH

The undersigned hereby applies for water service from the Town of Kanarrville, Utah for premises located at \_\_\_\_\_, and hereby agrees:

1. To pay charges for such water service, trash and landfill as are fixed from time to time by the Town Council until such time as I shall direct such service to be discontinued.
2. In the event of a failure to pay the charges within the due dates fixed by the town council or of a failure of the occupant of the premises to conform to the ordinances and regulations established by the Town Council regulating the use of the water system, then the town shall have the right to discontinue the water system service at its election, pursuant to five days written notice of the town's intention, until all delinquencies and any re-connection fees imposed are paid in full or until any failure to conform to this ordinance or regulations issued thereunder is eliminated.
3. To be bound by the rules regulations, resolutions and ordinances enacted or adopted by the Town Councilor applicable to the town's water system:

Applicant does hereby deposit \$\_\_\_\_\_ with the Town Treasurer on the filing of this application for water service and it is agreed and understood that the town may, but need not, apply the deposit upon bills due for prior service and that the right of the town to shut off service as above provided shall exist even though the deposit has not been applied to the payment of past due bills for services.

On final settlement of applicant's account, any unused balance of the deposit will be refunded to applicant upon return of the security deposit receipt issued by the town at the time the deposit is made.

4. That the deposit shall not be considered as an advance payment for any service. Charges and unpaid accounts shall be considered delinquent notwithstanding the existence of the deposit and the applicant or user of water service shall not have the right to compel the town to apply the deposit to any account to avoid delinquency. Applicant understands that the bill is delinquent after 30 days from date on the bill.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Applicant)

Section 7: NON-OWNER APPLICANTS.

- A. Landlords are solely responsible to see that renters pay their water billing. When a renter vacates a property without paying the water bill, the unpaid bill will be assessed against the landlord together with other charges levied by the Town Council of Kanarraville, Utah.
- B. Applications of water service made by the tenant of a landlord must in addition to the above requirements be guaranteed by an agreement signed by the owner of the premises or his duly authorized agent in substantially the following form:

In consideration of the acceptance of the application for water service submitted by \_\_\_\_\_ (tenant), I or we will pay for all water services for any such tenant or any other occupant of \_\_\_\_\_ (premises) in case such tenant or occupant shall fail to pay for the same according to the ordinances, rules, regulations or resolutions enacted by the Town of Kanarraville, Utah.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Owner)

Section 8: RATES AND CONNECTION FEES. The rates, penalty fee for delinquency in payment, connection fee, reservoir fee, inspection fee, and other charges incidental to connection and services from the town water system shall be fixed from time to time by resolution enacted by the Town Council. The Town Council may from time to time promulgate rules for levying, billing guaranteeing and collecting charges for water services and all other rules necessary for the management and control of the water system. Rates for services furnished shall be uniform with respect to each class or classes of service established or that may hereafter be established.

Section 9: SPECIAL RATES. The Town Council may from time-to-time fix by agreement or resolution special rates and conditions for users using exceptionally large amounts of water service or making use of the water system under exceptional circumstances, upon such terms and conditions as they may deem proper.

Section 10: BOARD OF EQUALIZATION. The Town Council is hereby constituted as a Board of Equalization of water rates, or any complaint pertaining to water, and make corrections of any assessments deemed to be illegal, unequal or unjust. They may, if they see fit, rebate all or any part of the water bill of any indigent person.

Section 11: NON-PAYMENT USE. It shall be unlawful for any person by himself, family, servants or agents to utilize the town water system without paying therefore, as herein provided or, without authority, to open any fire hydrant, stopcock, valve or other fixtures attached to the system of water supply unless it is done pursuant to proper application, agreement, or resolution. It shall be unlawful to injure, deface, or impair any part or appurtenance of the water system or to cast anything into any reservoir or tank belonging to the water system.

Section 12: DELINQUENCY. The water secretary shall furnish each user or mail to or leave at his place of residence or usual place of business, a written or printed statement stating thereon the amount of water service charges assessed against him one each month or at such other regular intervals as the Town Council shall direct.

- A. The statement shall specify the amount of the bill for the water service, the place of payment and date due. If any person fails to pay the water charges within 30 days of the date due, the Town Treasurer shall give the customer notice in writing of intent to discontinue the service to the customer unless the customer pays the bill in full within five days from the date of notice.
- B. If the water service is thereafter discontinued for failure to make payment, then before the water service to the premises shall again be provided, all delinquent water charges must have been paid to the Town Treasurer or arrangements made for their payment in a manner satisfactory to the Town Council. In the event water is turned off for non-payment of water charges, then before the water service to the premises shall again be provided, the customer shall pay in addition to all delinquent water charges such extra charge for turning the water on and off as the Town Council may have established by resolution. In addition to such payments and penalties, a delinquent customer may be required to make and file a new application and deposit if the previous deposit has theretofore been applied to the payment of delinquent bills. The Town Treasurer is hereby authorized and empowered to enforce the payment of all delinquent water charges by an action at law in the name of the Town of Kanarrville, Utah.

Section 13: WATER TURN-ON. It shall be unlawful for any person, after the water has been turned off from the premises for non-payment of water charges or other violation of the ordinances, rules, regulations or resolutions pertaining to the water supply, to turn on or allow the water to be turned on or used without authority from the Superintendent or Town Treasurer.

Section 14: SEPARATE CONNECTIONS. It shall be unlawful for two or more families or service users to be supplied from the same service pipe, connection, extension or water meter unless special permission for such combination usage has been granted by the Town Council and the premises served are owned by the same owner. In all such cases, a failure on the part of any one of the service connections until compliance or payment has been made, and, in any event, the property owner shall be primarily liable to the town for all water services utilized on all such premises. Nothing herein shall be deemed to preclude the power of the Town Council to require separate pipes, connections, extensions, or water meters at a subsequent time.

Section 15: UNAUTHORIZED USERS. It shall be unlawful for any water service user to permit any person from other premises or any unauthorized person to use or obtain water services regularly from his premises or water facilities, either outside or inside his premises.

Section 16: VISITORS. Individuals visiting the premises of an authorized user in a recreational vehicle not including a mobile home and continuing to live therein during the period of visitation may receive water service from the service pipes or facilities of the host during the visitation period which shall not exceed 3 months. Continued use thereafter shall be deemed unauthorized and in violation of the provisions of this part relating to separate connections and unauthorized use.

Section 17: GOOD REPAIR OF PIPE. All users of water services shall keep their service pipes and connections and other apparatus in good repair and protected from frost at their own expense. No person except under the direction of the water superintendent shall be allowed to dig into the street for the purpose of laying, removing or repairing any service pipe.

Section 18: QUALITY OF PIPE. All service and other pipe used in conjunction with the water services of the town shall be of such material, quality and specifications as the Town Council may from time to time by resolution provide, and shall be installed at such distances below ground as may be specified by regulations relating to the Water Department. All work, alterations or extensions affecting water pipes shall be subject to the acceptance of the Water Superintendent and no connections with any water mains shall be made without first obtaining a permit from the Town Clerk or Water Superintendent.

Section 19: PIPE ACROSS LOTS. No consumer shall be permitted to conduct water pipes across lots or buildings to adjoining premises without permission from the Water Superintendent and subject to such requirements relating to controls as may be imposed by the Water Superintendent.

Section 20: FAULTY EQUIPMENT. It shall be unlawful for any water user to:

- A. Waste water.
- B. Allow water to be wasted by stops, taps, valves, leaky joints or pipes or to allow tanks or watering troughs to leak or overflow.
- C. Wastefully run water from hydrants, faucets, stops, or through basins, water closets, urinals, sinks, or other apparatus.
- D. Use the water for purposes other than for those which the applicant has stated or to use water in violation of the rules and regulations for controlling the water supply.

Section 21: SPRINKLING VEHICLES. Vehicles for sprinkling shall be regulated and controlled by the Water Department through the Superintendent of the Water Department.

Section 22: FREE ACCESS. The Water Superintendent and his agents shall at all ordinary hours have free access to any place supplied with water services from the town system for the purpose of examining the apparatus and ascertaining the amount of water service being used and the manner of its use.

Section 23: NON-LIABILITY FOR DAMAGES. The Town of Kanarraville, Utah, shall not be liable for any damage to a water service user by reason of stoppage or interruption of his or her water supply service caused by fire, scarcity of water, accidents to the water system or its mains or that which occurs as the result of maintenance and extension operations or from any other unavoidable cause. This section shall not be construed to extend the liability of Kanarraville, Utah, beyond that provided in the Governmental Immunity Act.

Section 24: MOTORS, SYPHONS. No water shall be supplied from the pipes of the town water system for the purpose of a driving motor, syphon, turbine or other wheels or any hydraulic engines or elevators or for driving or propelling machinery of any kind whatsoever, nor shall any license be granted or issued for any such purpose except by special permission of the Kanarraville Town Council.

Section 25: SPRINKLERS.

- A. It shall be unlawful for any person to use such number of outlets simultaneously or to use such sprinkler or combinations or sprinkler or outlets as will, in the opinion of the Kanarraville Town Council materially affect the pressure or supply of the water in the town water system or any part thereof and the Kanarraville Town Council may from time to time, by resolution, specify combinations or numbers of outlets which may have such effect.
- B. The Kanarraville Town Council shall, after determining that such improper use exists, notify the affected water user or the owner of the premises whereon such use occurs of such determination in writing, order such use discontinued and advise that such continued usage constitutes a violation of this part.

Section 26: SCARCITY OF WATER. In time of scarcity of water, whenever it shall in the judgment of the Mayor and the Town Council of Kanarraville be requisite, the Mayor shall by proclamation limit the use of water to such extent as may be necessary. It shall be unlawful for any person, his family, servants or agents to violate any proclamation made by the Mayor in pursuance of this part.

Section 27: WASTE OF WATER.

- A. Users of water from the Kanarraville water system shall not permit water to continue to run wastefully and without due efforts to conserve water. If, in the judgment of the Water Superintendent or of any of the officers of Kanarraville, a user of the water system engages in practices which result in the needless waste of water and continues so to do after reasonable notice to discontinue wastefulness has been given, the Superintendent or any officer may refer the matter to the Town Council.
- B. The Kanarraville Town Council may thereupon consider terminating the right of the individual to use culinary water. If it elects to consider the matter of termination, it shall give notice to the water user of the intention to terminate his water connection at least five days prior to the meeting of the Kanarraville Town Council at which termination of water service is to be considered. The notice shall inform him of the time and place of the meeting and of the charges which lead to the consideration of the termination.
- C. A water user whose right to utilize Kanarraville water is being reviewed shall have opportunity to appear with or without counsel and present his reasons why his water service should not be discontinued.
- D. After due hearing, the Town Council may arrive at a determination. If the determination is to discontinue the wasteful water user's service connection, it shall notify him of the decision and of the period during which the service will remain discontinued.

Section 28: WATER METERS.

- A. Except as otherwise expressly permitted by this part, all structures, dwelling units, establishments and persons using water from the town water system must have such number of

water meters connected to their water system as are necessary in the judgment of the Superintendent to adequately measure use and determine water charges to the respective users.

- B. Meters will be furnished by the town upon application for a connection and upon payment of such connection fees and other costs as may be established by the Kanarraville Town Council from time to time by resolution.
- C. Meters shall be deemed to be and remain the property of Kanarraville. Whenever a dispute between Superintendent and the property owner arises as to the appropriate number of meters to be installed on any premises, the matter shall be heard and determined by the Town Council after due notice in writing to the parties involved.
- D. The Superintendent shall cause meter readings to be taken regularly and shall advise the water secretary thereof for the purpose of recording the necessary billings for water service.
- E. Meters may be checked, inspected or adjusted at the discretion of Kanarraville Town and they shall not be adjusted or tampered with by the customer. Meter boxes shall not be opened for the purpose of turning on or off the water except by an authorized representative of the town unless special permission is given by the town through its representative to the customer.
- F. If a customer submits a written request to the Superintendent to test his water meter, the town may, if under the circumstances it deems advisable and, in its discretion, order a test of the meter measuring the water delivered to such customer. If such request is made within 12 months after the date of the last previous teste, the customer may be required to pay the cost of such test. If the meter is found in such test to record from 97% to 103% of accuracy under methods of testing satisfactory to the Kanarraville Town Council, the meter shall be deemed to accurately measure the use of water.
- G. If the town's meters fail to register at any time, the water delivered during the period of failure shall be estimated on the basis of previous consumption during a period which in not questioned. In the event a meter is found to be recording less than 97% or more than 103% of accuracy, Kanarraville Town shall make such adjustments in the customer's previous bills as are just and fair under the circumstances.
- H. All damages or injury to water lines, meters or other materials of Kanarraville Town on or nesar the customer's premises caused by any act or neglect of the customer shall in the discretion of the town be repaired by and at the expense of the customer and the customer shall pay all costs and expenses, including a reasonable attorney fee, which may arise or accrue to Kanarraville Town through tis efforts to repair the damage to the lines, meters or to other equipment of the department or collect such costs from the customer.

Section 29: PERMIT FOR INSTALLATION. It shall be unlawful for any person to lay, repair, alter or connect any water line to the town culinary water system without first having approval from the Town Council.

Section 30: APPLICATIONS FOR INSTALLATION.

- A. Applications for permits to make water connections or other alteration or for laying or repairing lines connected directly or indirectly to the town water system must be made in writing to the Kanarraville Town Council.  
The application shall be granted if the Town Council determines that:
  - 1. The connection, repair, alteration or installation will cause no damage to the street in which the water main is laid, or that it will not be prejudicial to the interest of persons whose property has been or may thereafter be connected to the water main.

2. The connection conforms to the ordinances, regulations specifications and standard of materials required by Kanarraville Town.
- B. Fees for permits for inspection services shall be of such amounts as the Town Council shall from time to time determine by resolution.

Section 31: MOVING OR REPLACEMENT OF WATER LINES. In the event that Kanarraville Town in its sole discretion determine that any water line of the town must be moved or replaced, the town shall bear that portion of the cost of such move or replacement which applies to main lines up to the property line of the customer. The cost of reconnecting such new line or lines from the house of the customer to his property line shall be borne by the customer.

Section 32: DISCONTINUANCE OF SERVICE. Any customer desiring to discontinue water service shall notify Kanarraville in writing of such fact as least 10 days before the date when such service shall be discontinued. On giving such written notice, the customer shall not be responsible for water bills incurred after the date specified in the notice. Any credit balance in favor of the customer as a result of an advance payment of bills or a deposit will be refunded upon discontinuance of service. Customers who vacate their homes for extended periods of time will continue to receive water bills and be expected to pay those bills as they are due. Any water customer who requests a water disconnection will be required to pay a new water hook-up fee to reconnect to the Kanarraville water system. A new connection will be subject to the availability of a new meter, and it will not be determined by a previous connection. Unoccupied homes with unpaid bills will have their meters disconnected by the discretion of the Town Council.

Section 33: FIRE HYDRANTS. Water for fire hydrants will be furnished free of charge by Kanarraville Town. Installation on such hydrants shall be at the expense of developers and subdividers and shall be made under the direction of the Town Council. Repairs on hydrants will be at the expense of the town. All customers shall grant the town upon demand, a right-of-way or easement to install and maintain such hydrants on their premises if the town concludes that hydrants shall be so installed for the protection of the residents of the town.

Section 34: WATER MAIN EXTENSION. Any person or persons, including any sub-divider, who desired to have the water mains extended within the Kanarraville Town limits and is willing to advance the whole expense of such extension and receive the return of an agreed portion thereof, as hereinafter provided, may make application to the Kanarraville Town Council by petition. The petition shall contain a description of such proposed extension accompanied by a map showing the location of the proposed extension together with an offer to advance the whole expense thereof, which cost shall be verified by the Water Superintendent. The Town Council may grant or deny the petition as in its discretion seems best for the welfare of existing water users in the town. Upon the receipt of such petition and map and before the petition is granted, the Town Council shall obtain from the Water Superintendent a certified statement showing the whole cost of expense of making such extension.

Section 35: AMOUNT OF COST DEPOSITED WITH TOWN TREASURER. If the Kanarraville Town Council grants the petition, the amount of the cost making the extension, as certified by the Superintendent shall be deposited with the Town Treasurer before any work shall be done on such extension. The deposit shall be made within 30 days or such other time as the Town Council shall indicate after the granting thereof.

- A. At the time the Kanarraville Town Council decide whether or not to grant petition for an extension, it shall also decide whether or not any portion of the costs is to be refunded and the manner and circumstances under which such refund shall be made or credited to the application, his successors or representatives. Such determination shall be duly recorded in writing and a copy thereof furnished to the application.
- B. In the event any deposit remains unclaimed for a period of 5 years after the depositor has discontinued water service. The deposit may be forfeited and then transferred to the Kanarraville, Utah, water utility fund.
- C. Any such extension shall be deemed the property of Kanarraville Town, Inc.

Section 36: SUPPLY OF WATER SERVICES TO PERSONS OUTSIDE THE TOWN LIMITS. Kanarraville Town does not provide or extend water hookups or services outside the town boundaries.

Section 37: CROSS CONNECTION PROTECTION. All connections to the town water system shall conform to the International Plumbing Code as adopted by the State of Utah and the State of Utah Public Drinking Water Regulations. Water service to customers will be discontinued under the following circumstances:

- A. A backflow prevention assembly is required pursuant to Utah Code, Section 19-4-112.
- B. Service of water to any building or location may, at the discretion of the Kanarraville Town Council, be discontinued if the backflow prevention assembly required is not installed, tested and maintained or if a backflow prevention assembly has been removed, bypassed or if an unprotected cross connection exists at the building or location where the Water Superintendent or his representative determines that the risk to the town water system is a serious threat to health or safety, than he or she may immediately terminate water service to a building or location.
- C. The Kanarraville Water Department may refuse to restore water service to such building or location until such conditions or defects are corrected.
- D. The town shall give reasonable notice to the customer and/or owner of the building or location of the termination of water service to the property and where the customer could not reasonably be so notified before termination, then notice shall be given promptly afterwards.
- E. Removed or vandalized backflow prevention assemblies that are replaced by the Water Superintendent or representative will be charged against the customer's regular water bill for the cost of the assembly.

Section 38: TEMPORARY USE OF TOWN WATER. All well diggers, house builders, or contractors of any kind who desire water from a town hydrant, shall file the below Acknowledgement with the Town Clerk or Water Department representative before connecting to any fire hydrant:

KANARRAVILLE TOWN CORPORATION  
ACKNOWLEDGEMENT

I, \_\_\_\_\_, acknowledge receipt of one Badger Meter valued at \$1,200.00. I also acknowledge that I will replace the meter if damaged. I acknowledge that the meter will be used for \_\_\_\_\_ and will be returned to the Town of Kanarraville on or near the date of \_\_\_\_\_.

The reading on this meter is: \_\_\_\_\_

I will be taking approximately: \_\_\_\_\_ gallons.

Phone Number and Address for Billing:

Date Returned: \_\_\_\_\_

Signed by:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

After filing the above Acknowledgement with Kanarraville Town a temporary portable water meter will then be provided to draw water from a town hydrant. If the Kanarraville Town portable water meter is not available, the contractor must provide their own portable water meter and the beginning read must be recorded by the Town Clerk or Water Department representative before the job is started. When hooking up to a town hydrant a hydrant must be selected where no crossing of town streets is required. If crossing a town street is required, a collapsible hose must be used. If the contractor does not register or check-in with the Town Clerk or Water Department representative before the job is started a full day read of \$\_\_\_\_\_ for \_\_\_\_\_ gallons will be charged.

Section 39: DISTANCE OF SEPTIC TANKS FROM CULINARY WELL. No septic tank shall be constructed or in any way built within 400 feet North, West or South of the culinary well in Kanarraville Town that is used for drinking water. No septic tank shall be constructed or in any way built within 2,500 feet East of said culinary well in Kanarraville Town.

- A. Violation of this section shall be deemed a nuisance and upon conviction of same, the violator may be punished by imprisonment in the county jail of Iron County for a period of time not to exceed 3 months or by a fine established by the Kanarraville Town Council or both such fine and imprisonment.
- B. As it is in the interest of the health and welfare of the residents of Kanarraville Town, in the event of violation of the distances established the town, Kanarraville specifically reserves the right to require the removal of any construction commenced in violation of this section. Furthermore, Kanarraville Town reserves the right to pursue the violator for all fees and damages associated with this violation.
- C. The Kanarraville Town Council reserves the right to issue variances to septic tanks existing before 1972 within the well protection zone.

Section 40: This ordinance hereby repeals all other ordinances inconsistent with this ordinance.

Section 41: This ordinance shall take effect immediately upon passage.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signed:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Town Clerk

ROLL CALL:

Councilor Mike Humes \_\_\_\_\_  
Councilor Stoney Shugart \_\_\_\_\_  
Councilor Randy Williams \_\_\_\_\_  
Councilor Brandon Jonsson \_\_\_\_\_