# ORDINANCE NO. 2025-05

## AN ORDINANCE OF IVINS CITY, UTAH, AMENDING THE SUBDIVISION ORDINANCE TO REMOVE REQUIREMENT FOR INSTALLATION OF SECONDARY WATER SYSTEMS ON NEW DEVELOPMENT

**WHEREAS** the city council for Ivins City (the "City Council") is authorized by law to exercise its legislative powers through ordinances as are necessary for carrying into effect the duties and powers of the City Council and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of Ivins City and its inhabitants, and for the protection of property in Ivins City;

**WHEREAS** before the City Council can pass an ordinance regulating land use the planning commission for Ivins City (the "Planning Commission") must consider the regulation and conduct a public meeting regarding the proposed land use regulation;

**WHEREAS** after conducting a public meeting regarding this ordinance on March 4, 2025 the Planning Commission recommended that the City Council approve this ordinance;

**WHEREAS** the City Council has investigated and considered the fact that the Washington County Water Conservancy District has changed its water supply plans and has determined that it is more efficient to construct a treatment plant to convert the water from Gunlock Reservoir/Santa Clara River into culinary grade drinking water, and that there are enough developments with irrigation lines to serve the reduced supply;

**WHEREAS** the City Council, in the exercise of its legislative authority, finds that it is prudent and reasonable to remove the requirement to install secondary/irrigation system main lines in new development, that the zoning text amendment set forth herein is consistent with the Ivins City General Plan, and that it is in the interest of the general welfare of the city and its residents to approve the zoning text amendment set forth herein.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Ivins City as follows:

**Section 1. Amendment to Section 15.05.101 of the Ivins City Code.** Section 15.05.101 of the Ivins City Code is hereby amended to read in its entirety as follows:

See Exhibit A

**Section 2. Severability.** If any section, clause, or portion of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

**Section 3. Effective Date.** This Ordinance shall become effective immediately upon passage and publication.

**PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS 20TH DAY OF MARCH, 2025, BY THE FOLLOWING VOTE:**

| | AYE | NAY | ABSTAIN | ABSENT |
|---|---|---|---|---|
| Mike Scott | _____ | _____ | _____ | _____ |
| Kevin Smith | _____ | _____ | _____ | _____ |
| Sharon Barton | _____ | _____ | _____ | _____ |
| Sharon Gillespie | _____ | _____ | _____ | _____ |
| Lance Anderson | _____ | _____ | _____ | _____ |

_____
Chris Hart, Mayor

ATTEST:

_____
Kari D. Jimenez, City Recorder

EXHIBIT A

15.05.101: REQUIRED IMPROVEMENTS:

The following improvements, utilities and services shall be provided by a developer of a subdivision, condominiums, or any development that requires that public services be provided to serve the development in accordance with the general requirements listed above:

(1) A public street system including curb, gutters, sidewalks, street paving, landscaped buffers and other necessary appurtenances in accordance with the transportation master plan and other city ordinances. Private streets may be alternatively provided where appropriate in accordance with the transportation master plan. Access to the development shall be in accordance with city adopted fire code.

(2) A culinary water system, including the mains, valves, blowoffs, fire hydrants, pressure reducing valves and service laterals to each lot or parcel in the project.

(3) A public sanitary sewer system, including the mains, manholes, and service laterals which must be extended from the sewer main to each lot or parcel in the project.

(a) When allowed by section 10.03.302 of this code, a developer may require each individual subdivided lot to provide an advanced on site wastewater treatment system in lieu of providing a public sanitary sewer system.

~~(4) A secondary water system to provide water for outside landscaping to each lot in the project. The secondary water system shall be of similar type and requirements as the culinary water system and shall comply with all related standards and specifications.~~

(~~5~~4) A subsurface water drain system shall be provided when deemed necessary by site conditions to lower or remove shallow groundwater on the site. The system shall be inspected and approved by the city and shall become the responsibility of the homeowners and/or developer. The city shall not be responsible for the maintenance or failure of the subsurface drains or for damage resulting from inadequate, clogged, or defective drains.

(~~6~~5) A storm drainage system and detention basins shall be installed as required by the city. The drainage shall comply with drainage studies, downstream facilities and capacities, and shall conform to the general plan and the city's storm drain capital facilities plan. All developments are required to provide safe and adequate drainage for the existing flows occurring on, or passing through, the project.

(~~7~~6) Provisions for other franchised utilities such as power, phone, gas, and cable TV as necessary for the project. The developer is required to coordinate the installation and maintenance of these utilities.

(~~8~~7) Permanent monuments shall be furnished, accurately established and set by a certified Utah licensed land surveyor at such points as necessary to define and establish all lot lines and rights of way within the project.

(~~9~~8) Street signs shall be installed in conformance with city standards.

(~~10~~9) Streetlights in conformance with city standards shall be installed at all street intersections, school and pedestrian crossings, and on public streets at intervals and locations specified by the standard specifications.

(~~11~~10) Fencing shall be provided where required in accordance with this chapter and all other city ordinances.

(~~12~~11) Extensions of off site utilities and other facilities that are necessary to provide services to the proposed project in accordance with standards as required by the city.