

Effective 1/1/2021

10-7-14 Rules and regulations for use of water.

- (1) As used in this section:
 - (a) "Designated water service area" means the area defined by a municipality in accordance with the Utah Constitution, Article XI, Section 6, Subsection (1)(c).
 - (b) "Retail customer" means an end user:
 - (i) who receives culinary water directly from a municipality's waterworks system; and
 - (ii) whom the municipality described in Subsection (1)(b)(i) bills for water service.
 - (c)
 - (i) "Waterworks system" means municipally owned collection, treatment, storage, and distribution facilities for culinary or irrigation water, including any pipe, hydrant, or appurtenance to a pipe or hydrant.
 - (ii) "Waterworks system" does not include a water right or a source of supply such as a well, spring, stream, or share in a mutual irrigation company.
- (2) A municipality may enact ordinances, rules and regulations for the management and conduct of the waterworks system owned or controlled by it.
- (3) A municipality that provides water to a retail customer outside of the municipality's boundary shall:
 - (a) create and maintain a map showing:
 - (i) the municipality's designated water service area; and
 - (ii) each area outside the municipality's designated water service area where a retail customer receives water service from the municipality;
 - (b) transmit a copy of the map described in Subsection (3)(a) to the state engineer;
 - (c) if the municipality has more than 500 retail customers, post the map described in Subsection (3)(a) on the municipality's website;
 - (d) define, by ordinance, the area included in the municipality's designated water service area;
 - (e) adopt, by ordinance, any municipality rule or regulation applicable to the municipality's designated water service area or to a retail customer located outside of the municipality's designated water service area; and
 - (f) adopt, by ordinance, reasonable water rates for retail customers in the municipality's designated water service area, in accordance with Section 10-8-22.
- (4) Within the municipality's designated water service area, a municipality shall:
 - (a) provide service to all retail customers in a manner consistent with principles of equal protection; and
 - (b) apply restrictions on water use to all retail customers in times of anticipated or actual water shortages in a manner consistent with principles of equal protection.
- (5) Nothing in this section:
 - (a) prohibits a municipality from enacting a service restriction or other restriction:
 - (i) affecting:
 - (A) a localized area; or
 - (B) the municipality's entire designated water service area; and
 - (ii)
 - (A) based on an operational or maintenance need;
 - (B) based on an emergency situation; or
 - (C) to address a health, safety, or general welfare need;
 - (b) expands or diminishes the ability of a municipality to enter into a contract to supply water outside of the municipality's designated water service area; or
 - (c) alters the authorities or definitions described in Title 19, Chapter 4, Safe Drinking Water Act.

(6) A municipality may not sell or convey an interest, in part or in whole, of the municipality's waterworks system, except to a public entity as defined in Section 73-1-4.

Amended by Chapter 99, 2019 General Session