

**54-13-7 Minimum distances for placement of structures and facilities near main and transmission lines.**

- (1) As used in this section:
  - (a) "Main" has the meaning set forth in 49 C.F.R. Section 192.3.
  - (b) "Minimum distance" means:
    - (i) the width of a recorded easement when the width is described;
    - (ii) 15 feet when the width of a recorded easement is undefined; or
    - (iii) for any underground facility, it means an area measured one foot vertically and three feet horizontally from the outer surface of a main or transmission line.
  - (c) "Transmission line" has the meaning set forth in 49 C.F.R. Section 192.3.
  - (d) "Underground facility" has the meaning set forth in Section 54-8a-2.
- (2)
  - (a) After April 30, 1995, a building or structure requiring slab support or footings, or an underground facility may not be placed within the minimum distance of a main or transmission line.
  - (b) Subsection (2)(a) does not apply if:
    - (i) the building or structure is used for public or railroad transportation, natural gas pipeline purposes, or by a public utility subject to the jurisdiction or regulation of the Public Service Commission;
    - (ii) in order to receive natural gas service, the building or structure must be located within the minimum distance of the pipeline;
    - (iii) the owner or operator of the main or transmission line has been notified prior to construction or placement pursuant to Section 54-8a-4 and has given written permission; or
    - (iv) the commission by rule exempts such action from the provisions of Subsection (2)(a).
- (3) An owner or operator of a main or transmission line may obtain a mandatory injunction from the district court of the judicial district in which the main or transmission line is located against any person who violates Subsection (2).
- (4) The penalties specified in Title 54, Chapter 7, Hearings, Practice, and Procedure, do not apply to a violation of this section.

Amended by Chapter 340, 2011 General Session