

ARTICLE 22 UTILITIES

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22.01 Utility Ownership and Easement Rights

22.01.01 In any case in which an applicant installs or causes the installation of water, sewer, electrical power, telephone, or cable television facilities and intends that such facilities shall be owned, operated, or maintained by a public utility or any entity other than the applicant, the applicant shall transfer to such utility or entity the necessary ownership or easement rights to enable the utility or entity to operate and maintain such facilities.

22.02 Lots Served by Town Owned Water or Sewer

22.02.01 Lots to be served by Town owned water or sewer shall meet the requirements of the Town Code.

22.03 Sewage Disposal Facilities Required

22.03.01 Every principal use and every lot within a subdivision shall be served by a sewage disposal system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations.

22.04 Determining Compliance with Sewage Disposal Facilities Requirements

22.04.01 Primary responsibility for determining whether a proposed development will comply with the standard set forth in Section 22.03 often lies with an agency other than the Town, and the applicant must comply with the detailed standards and specifications of such other agency.

22.04.02 Whenever any such agency requires detailed construction or design drawings before giving its official approval to the proposed sewage disposal system, the authority issuing a permit under this Ordinance may rely upon a preliminary review by such agency of the basic design elements of the proposed sewage disposal system to determine compliance with Section 22.03.

- A. However, construction of such system may not be commenced until the detailed plans and specifications have been reviewed and any appropriate permits issued by such agency.

22.05 Water Supply System Required

22.05.01 Every principal use and every lot within a subdivision shall be served by a water supply system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations.

22.06 Determining Compliance with Water Supply System Requirements

22.06.01 Primary responsibility for determining whether a proposed development will comply with the standard set forth in Section 22.05 often lies with an agency other than the Town, and the applicant must comply with the detailed standards and specifications of such other agency.

22.06.02 Whenever any such agency requires detailed construction or design drawings before giving its official approval to the proposed water supply system, the authority issuing a permit under this Ordinance may rely upon a preliminary review by such agency of the basic design elements of the proposed water supply system to determine compliance with Section 22.05.

- A. However, construction of such system may not be commenced until the detailed plans and specifications have been reviewed and any appropriate permits issued by such agency.

22.07 Electric Power

22.07.01 Every principal use and every lot within a subdivision shall have available to it a source of electric power adequate to accommodate the reasonable needs of such use and every lot within such subdivision.

- A. For all new subdivisions the electric utility service provider must review the proposed plans and certify to the Town that it can provide service that is adequate to meet the needs of the proposed use and every lot within the proposed subdivision.

22.07.02 If the use is not a subdivision and is located on a lot that is served by an existing power line and the use can be served by a simple connection to such power line (as opposed to a more complex distribution system, such as would be required in an apartment complex or shopping center), then no further certification is needed.

22.08 Telephone Service

22.08.01 Every principal use and every lot within a subdivision shall have available to it a telephone service adequate to accommodate the reasonable needs of such use and every lot within such subdivision. Compliance with this requirement shall be determined as follows:

- A. If the use is not a subdivision and is located on a lot that is served by an existing telephone line and the use can be served by a simple connection to such telephone line

(as opposed to a more complex distribution system, such as would be required in an apartment complex or shopping center), then no further certification is needed.

- B.** If the use is a subdivision, or is not located on a lot served by an existing telephone line, or a substantial internal distribution system will be necessary, then the telephone utility company must review the proposed plans and certify to the Town that it can provide service that is adequate to meet the needs of the proposed use and every lot within the proposed subdivision.

22.09 Underground Utilities

22.09.01 All electric power lines (not to include transformers or enclosures containing electrical equipment including, but not limited to, switches, meters, or capacitors which may be pad mounted), telephone, gas distribution, and cable television lines in all developments shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the Town's standard specifications for street design and construction.

- A. Power Lines Exemption.** – The regulation shall not require a developer or builder to bury power lines meeting all of the following criteria:
1. The power lines existed above ground at the time of first approval of a plat or development plan by the local government, whether or not the power lines are subsequently relocated during construction of the subdivision or development plan.
 2. The power lines are located outside the boundaries of the parcel of land that contains the subdivision or the property covered by the development plan.

(Ord. PL04727-050721, 07-01-2021)

22.10 Utilities to Be Consistent with Internal and External Development

22.10.01 Whenever it can reasonably be anticipated that utility facilities constructed in one development will be extended to serve other adjacent or nearby developments, such utility facilities shall be located and constructed so that extensions can be made conveniently and without undue burden or expense or unnecessary duplication of service.

23.10.02 All utility facilities shall be constructed in such a manner as to minimize interference with pedestrian or vehicular traffic and to facilitate maintenance without undue damage to improvements or facilities located within a development.

22.11 As – Built Drawings Required

23.11.01 Whenever an applicant installs or causes to be installed any utility line in any public right-of-way, the applicant shall, as soon as practicable, in no case more than 180 days after installation is complete, and before acceptance of any water, sewer or other utility line, furnish the Town with a copy of a drawing that shows the exact location of such utility lines. Such drawings must be verified as accurate by the utility service provider. Compliance with

this requirement shall be a condition of the continued validity of the permit authorizing such development.

22.12 Fire Hydrants

22.12.01 Every development that is served by a public water system shall include a system of fire hydrants sufficient to provide adequate fire protection for the buildings located or intended to be located within such development.

22.13 Solid Waste and Recycling Containers

22.13.01 Solid Waste Containers

- A. Every development must provide solid waste areas and solid waste containers in compliance with the requirements of Section 91 of the Town Code.
- B. All solid waste containers and solid waste container areas should be located as to minimize any negative impact on persons occupying the development site, neighboring properties, and public rights-of-way.
- C. All solid waste container areas should be constructed according to specifications established by the Public Works Department to allow for collection without damage to the development site and the collection vehicle.
- D. All solid waste container locations should be screened in accordance with the requirements of Subsection 31.06.05.

22.13.02 Recycling Containers

- A. Multi-Family dwellings and any other development which is required to recycle should provide an area for the placement of recycling containers designed pursuant to Section 91 of the Town Code.
- B. All recycling containers should be located as to minimize any negative impact on persons occupying the development site, neighboring properties, and public rights-of-way.
- C. All recycling container areas should be constructed according to specifications established by the Department of Public Works to allow for collection without damages to the development site and the collection vehicle.
- D. All recycling container areas should be screened in accordance with the requirements of Section 31.06.05.

22.13.03 Solid Waste and Recycling Enclosure

