

## ORDINANCE NO. 03-01-18

**AN ORDINANCE AMENDING THE DRINKING WATER STANDARDS TO ENSURE CONSISTENCY WITH THE ENVIRONMENTAL PROTECTION AGENCY'S REQUIREMENTS, PROVIDING SEVERABILITY AND AN EFFECTIVE DATE FOR THE ORDINANCE.**

**WHEREAS**, the City of Santaquin is a fourth class city of the state of Utah; and

**WHEREAS**, a request has been made to amend Santaquin City Code section 8-1-15-2 regarding standards for drinking water; and

**WHEREAS**, the City Council held a public hearing on March 7, 2018 which was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City, and which notice of public hearing was published in the Payson Chronicle Newspaper in accordance with Section 10-9a-205 of the Utah State Code; and

**WHEREAS**, cities in the state of Utah are authorized by the Legislature to regulate the use and development of lands including providing infrastructure services such as water, sewer, irrigation, roads, and parks; and

**WHEREAS**, Santaquin City operates and maintains a public water system for the benefit of residents, businesses, and visitors in the community; and

**WHEREAS**, the City Council finds it is necessary to modify the city's drinking water standards to ensure consistency with the environmental protection agency's requirements.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Santaquin City, State of Utah, as follows:

### **Section I. Amendments**

**Section 8-1-15-2 is amended as follows: (Underlined text is added, stricken text is deleted)**

**POLLUTION SOURCE:** Point source discharges of contaminants to groundwater of potential discharges of the liquid forms of "extremely hazardous substances" which are stored in containers in excess of "applicable threshold planning quantities" as specified in SARA title III. Examples of possible pollution sources include, but are not limited to, the following: storage facilities that store the liquid forms of extremely hazardous substances, septic tanks, drain fields, class V underground injection wells, landfills, open dumps, landfilling of sludge and septage, manure piles, salt piles, pit privies, and commercial animal feeding operations with more than ten (10) animal units. The following clarify the definition of pollution source:

**Animal Unit:** A unit of measurement for any animal feeding operation calculated by adding the following numbers: the number of slaughter and feeder cattle multiplied by 1.0, plus the number of mature dairy cattle multiplied by 1.4, plus the number of swine weighing over fifty five (55) pounds multiplied by 0.4, plus the number of sheep multiplied by 0.1, plus the number of horses multiplied by 2.0.

~~Extremely Hazardous Substances: Those substances which are identified in the section 302 (EHS) column of the "Title III Lists Consolidated List Of Chemicals Subject To Reporting Under SARA Title III" (EPA 560/4-91-011).~~

"Extremely Hazardous Substances" means those substances which are identified in the Sec. 302 (EHS) column of the "Title III List of Lists: Consolidated List of Chemicals Subject to the Emergency Planning and Community Right-to-Know Act (EPCRA) and Section 112(R) of the Clean Air Act, As Amended," (550B98017). A copy of this document may be obtained from: NCEPI, PO Box 42419, Cincinnati, OH 45202. Online ordering is also available at <http://www.epa.gov/ncepihom/orderpub.html>.

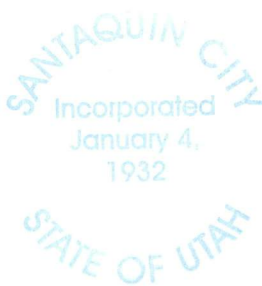
**Section II. Severability**

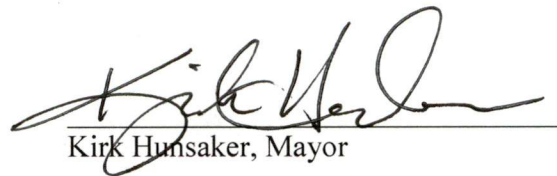
If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

**Section III. Posting and Effective Date**

This ordinance shall become effective at 5:00 p.m. on Thursday, March 8, 2018. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

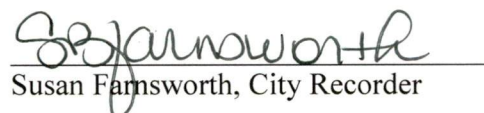
PASSED AND ADOPTED this 7<sup>th</sup> day of March 2018.



  
Kirk Hunsaker, Mayor

Councilmember Elizabeth Montoya	Voted	<u>ay</u>
Councilmember Lynn Mecham	Voted	<u>ay</u>
Councilmember Keith Broadhead	Voted	<u>ay</u>
Councilmember Nick Miller	Voted	<u>ay</u>
Councilmember Chelsea Rowley	Voted	<u>ay</u>

ATTEST:

  
Susan Farnsworth, City Recorder