

**THE CITY OF WEST JORDAN, UTAH  
ORDINANCE NO. 23-37**

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE  
(SANITARY SEWER PUMPING AND LIFT STATIONS;  
ENACTING A NEW SECTION 9-4-4 AND RENUMBERING  
EXISTING SECTIONS 9-4-4 AND 9-4-5 TO 9-4-5 AND 9-4-6 RESPECTIVELY)**

WHEREAS, the City of West Jordan (“**City**”) adopted West Jordan City Code (“**City Code**”) in 2009; and the City Council of the City (“**Council**” or “**City Council**”) desires to enact a certain section of the City Code; namely, Section 9-4-4 regarding Sanitary Sewer Pumping and Lift Stations, and desires to renumber existing sections 9-4-4 and 9-4-5 to 9-4-5 and 9-4-6 respectively (“**proposed City Code amendments**”); and

WHEREAS, the Planning Commission of the City (“**Planning Commission**”) held a public hearing and provided a recommendation on October 3, 2023, regarding the proposed City Code amendments, which are all land use regulations in the land use titles; and determined the following:

1. The proposed City Code amendments conform to the General Plan and are consistent with the adopted goals, objectives and policies described therein;
2. The proposed City Code amendments are appropriate given the context of the request and there is sufficient justification for a modification to the land use titles;
3. The proposed City Code amendments will not create a conflict with any other section or part of the land use titles or the General Plan; and
4. The proposed City Code amendments do not relieve a particular hardship, nor do they confer any special privileges to a single property owner or cause, and they are only necessary to make a modification to the land use titles in light of corrections or changes in public policy; and

WHEREAS, the City Council held a “committee of the whole work session” on September 13, 2023 and a public hearing on October 25, 2023, regarding the proposed City Code amendments, and finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the following proposed City Code amendments.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH AS FOLLOWS:


**Section 1. Amendment of Code Provisions.** City Code Section 9-4-4 regarding Sanitary Sewer Pumping and Lift Stations is enacted to read as shown, and existing sections 9-4-4 and 9-4-5 are renumbered to 9-4-5 and 9-4-6 respectively as shown, in Attachments 1 (legislative version) and 2 (clean version) to this Ordinance.

**Section 2. Severability.** If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**Section 3. Effective Date.** This Ordinance shall become effective immediately upon posting or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 25<sup>TH</sup> DAY OF OCTOBER 2023.

CITY OF WEST JORDAN

By:   
Christopher McConnehey  
Council Chair


ATTEST:

   
Cindy M. Quick, MMC  
Council Office Clerk

Voting by the City Council	"YES"	"NO"
Council Chair Christopher McConnehey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Vice-Chair Pamela Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Kelvin Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Zach Jacob	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member David Pack	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Kayleen Whitelock	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Melissa Worthen	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON OCTOBER 30, 2023.**

Mayor's Action:   X   Approve             Veto

By:         Oct 30, 2023    
Mayor Dirk Burton      Date

ATTEST:



   
Tangee Sloan, CMC  
City Recorder

**STATEMENT OF APPROVAL/PASSAGE** (check one)

  X   The Mayor approved and signed Ordinance No. 23-37.

       The Mayor vetoed Ordinance No. 23-37 on \_\_\_\_\_ and the  
City Council timely overrode the veto of the Mayor by a vote of \_\_\_\_\_ to \_\_\_\_\_.

       Ordinance No. 23-37 became effective by operation of law without the  
Mayor's approval or disapproval.

\_\_\_\_\_  
Tangee Sloan, CMC  
City Recorder

**CERTIFICATE OF PUBLICATION**

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the   7th   day of   November   2023. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

\_\_\_\_\_  
Tangee Sloan, CMC  
City Recorder

*(Attachments on the following pages)*

Attachment 1 to

ORDINANCE NO. 23-37

AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE  
(SANITARY SEWER PUMPING AND LIFT STATIONS;  
ENACTING A NEW SECTION 9-4-4 AND RENUMBERING  
EXISTING SECTIONS 9-4-4 AND 9-4-5 TO 9-4-5 AND 9-4-6 RESPECTIVELY)

City Code Text Amendment - Legislative Version

**9-4-4: SANITARY SEWER PUMPING AND LIFT STATIONS:**

A. All sanitary sewer systems in the city shall be designed to flow by gravity.

B. Use of “sanitary sewer pumping stations” (including lift stations) shall not be permitted within public sewer lines.

C. Private residential pumping stations shall not be permitted except when, as determined by the city’s public utilities director (or other officer or employee designated by the city administrator), no adequate and reasonably achievable gravity flow collection system can be constructed to avoid the use of the private residential pumping station.

D. If a private residential pumping station is permitted by the city in accordance with subsection C, the owner of the private residential pumping station shall bear all liability and responsibility for the satisfactory operation and maintenance of the private residential pumping station and shall ensure compliance with all applicable regulations and standards.

**9-4-45: LATER ADOPTED MORE RESTRICTIVE STANDARDS:**

A. Upon promulgation of the national categorical pretreatment standard for a particular industrial subcategory developed pursuant to 40 CFR 403.6, the national standard, if more stringent than limitations imposed in this chapter for sources in that subcategory, such standard shall immediately supersede the limitations imposed in this chapter. The SVWRF general manager shall notify all affected users of the applicable reporting requirements under 40 CFR 403.12.

B. If the governments of the United States Of America (through the environmental protection agency or some other regulatory agency), the state (through the state board of health or some other regulatory agency), and/or the county (through the Salt Lake Valley health department or some other regulatory agency) shall adopt standards which are more restrictive than the standards listed in this chapter and which are applicable to users of the city's sanitary sewer system, such standards shall be deemed to be adopted pursuant to this chapter and shall be controlling upon all users of the city's sanitary sewer system. (2001 Code § 90-2-110; Ord. 09-21, 7-14-2009; Ord. 11-18, 7-13-2011)

9-4-56: VIOLATIONS AND PENALTIES:

A. Termination Of Service: The city may terminate utility service to any residential, commercial or industrial customer for repeated or continuing violation of this chapter. Such termination shall not prevent the city from pursuing any and all remedies available under local, state and federal laws, ordinances, rules and regulations, including civil injunction, civil damages, criminal penalties, fines, and any other remedies available in law or in equity.

B. Strict Liability: Any person violating any provision of this chapter shall be responsible for all damages resulting from such violation without regard to fault, knowledge, intent or state of mind of the person committing the violation, including, but not limited to, damages to the city's sewer system and damage to the SVWRF facilities or processes. The prosecution of a criminal offense involving the violation of this chapter, and the conviction for such violation shall not require proof of any culpable mental state on the part of any person. For this purpose, the city council, in accordance with Utah code section 76-2-102, intends to impose criminal responsibility for the commission or omission of conduct prohibited by this chapter. (2001 Code § 90-2-111; amd. 2009 Code; Ord. 11-18, 7-13-2011)

**Attachment 2 to**

**ORDINANCE NO. 23-37**

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE  
(SANITARY SEWER PUMPING AND LIFT STATIONS;  
ENACTING A NEW SECTION 9-4-4 AND RENUMBERING  
EXISTING SECTIONS 9-4-4 AND 9-4-5 TO 9-4-5 AND 9-4-6 RESPECTIVELY)**

**City Code Text Amendment - Clean Version**

**9-4-4: SANITARY SEWER PUMPING AND LIFT STATIONS:**

- A. All sanitary sewer systems in the city shall be designed to flow by gravity.
- B. Use of “sanitary sewer pumping stations” (including lift stations) shall not be permitted within public sewer lines.
- C. Private residential pumping stations shall not be permitted except when, as determined by the city’s public utilities director (or other officer or employee designated by the city administrator), no adequate and reasonably achievable gravity flow collection system can be constructed to avoid the use of the private residential pumping station.
- D. If a private residential pumping station is permitted by the city in accordance with subsection C, the owner of the private residential pumping station shall bear all liability and responsibility for the satisfactory operation and maintenance of the private residential pumping station and shall ensure compliance with all applicable regulations and standards.

**9-4-5: LATER ADOPTED MORE RESTRICTIVE STANDARDS:**

- A. Upon promulgation of the national categorical pretreatment standard for a particular industrial subcategory developed pursuant to 40 CFR 403.6, the national standard, if more stringent than limitations imposed in this chapter for sources in that subcategory, such standard shall immediately supersede the limitations imposed in this chapter. The SVWRF general manager shall notify all affected users of the applicable reporting requirements under 40 CFR 403.12.
- B. If the governments of the United States Of America (through the environmental protection agency or some other regulatory agency), the state (through the state board of health or some other regulatory agency), and/or the county (through the Salt Lake Valley health department or some other regulatory agency) shall adopt standards which are more restrictive than the standards listed in this chapter and which are applicable to users of the city's sanitary sewer system, such standards shall be deemed to be adopted pursuant to this chapter and shall be controlling upon all users of the city's sanitary sewer system. (2001 Code § 90-2-110; Ord. 09-21, 7-14-2009; Ord. 11-18, 7-13-2011)

#### 9-4-6: VIOLATIONS AND PENALTIES:

A. Termination Of Service: The city may terminate utility service to any residential, commercial or industrial customer for repeated or continuing violation of this chapter. Such termination shall not prevent the city from pursuing any and all remedies available under local, state and federal laws, ordinances, rules and regulations, including civil injunction, civil damages, criminal penalties, fines, and any other remedies available in law or in equity.

B. Strict Liability: Any person violating any provision of this chapter shall be responsible for all damages resulting from such violation without regard to fault, knowledge, intent or state of mind of the person committing the violation, including, but not limited to, damages to the city's sewer system and damage to the SVWRF facilities or processes. The prosecution of a criminal offense involving the violation of this chapter, and the conviction for such violation shall not require proof of any culpable mental state on the part of any person. For this purpose, the city council, in accordance with Utah code section 76-2-102, intends to impose criminal responsibility for the commission or omission of conduct prohibited by this chapter. (2001 Code § 90-2-111; amd. 2009 Code; Ord. 11-18, 7-13-2011)











# Ordinance No. 23-37 Code Text Amendment for Sewer Lift Station Policy

Final Audit Report

2023-11-07

Created:	2023-10-30
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAZfwV86qgc6MINcribxdrSspko09XMZSj

## "Ordinance No. 23-37 Code Text Amendment for Sewer Lift Station Policy" History

-  Document created by Cindy Quick (Cindy.quick@westjordan.utah.gov)  
2023-10-30 - 3:51:22 PM GMT- IP address: 73.98.254.78
-  Document emailed to chris.mcconnehey@westjordan.utah.gov for signature  
2023-10-30 - 3:54:58 PM GMT
-  Email viewed by chris.mcconnehey@westjordan.utah.gov  
2023-10-30 - 3:59:56 PM GMT- IP address: 173.226.103.219
-  Signer chris.mcconnehey@westjordan.utah.gov entered name at signing as Christopher McConnehey  
2023-10-30 - 4:00:08 PM GMT- IP address: 173.226.103.219
-  Document e-signed by Christopher McConnehey (chris.mcconnehey@westjordan.utah.gov)  
Signature Date: 2023-10-30 - 4:00:10 PM GMT - Time Source: server- IP address: 173.226.103.219
-  Document emailed to Cindy Quick (Cindy.quick@westjordan.utah.gov) for signature  
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-  Document e-signed by Cindy Quick (Cindy.quick@westjordan.utah.gov)  
Signature Date: 2023-10-30 - 4:29:13 PM GMT - Time Source: server- IP address: 73.98.254.78
-  Document emailed to dirk.burton@westjordan.utah.gov for signature  
2023-10-30 - 4:29:14 PM GMT
-  Email viewed by dirk.burton@westjordan.utah.gov  
2023-10-30 - 8:06:19 PM GMT- IP address: 207.225.200.66
-  Signer dirk.burton@westjordan.utah.gov entered name at signing as Dirk Burton  
2023-10-30 - 8:06:36 PM GMT- IP address: 207.225.200.66




 Document e-signed by Dirk Burton (dirk.burton@westjordan.utah.gov)

Signature Date: 2023-10-30 - 8:06:38 PM GMT - Time Source: server- IP address: 207.225.200.66

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2023-11-07 - 9:55:32 PM GMT- IP address: 207.225.200.66

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Signature Date: 2023-11-07 - 9:57:54 PM GMT - Time Source: server- IP address: 207.225.200.66

 Agreement completed.

2023-11-07 - 9:57:54 PM GMT