

Appendix B

Ordinances

Title 17.22 Salt Lake County Flood Control and Stormwater Quality

Title 9 Salt Lake County Health Department (includes wastewater regulations)

Salt Lake County Health Regulation #13 (Wastewater Disposal)

Utah Administrative Code UAC R317-1.0 Civil Penalty Flow Chart for violations

Title 17.22 Salt Lake County Flood Control and Stormwater Quality

Chapter 17.22 - STORMWATER QUALITY

Sections:

PART I. - General Provisions

17.22.010 - Purpose.

The purpose of this title is to:

- A. Protect, maintain, and enhance the environment of the county;
- B. Establish responsibilities for controlling and managing stormwater runoff; and
- C. Protect the public health, safety and the general welfare of the citizens of the county, by controlling the discharge of pollutants into the county's stormwater system and to maintain and improve the quality of the receiving waters into which the stormwater outfalls flow, including, without limitation, lakes, rivers, streams, ponds, wetlands, and groundwater of the county;
- D. Facilitate the county's compliance with the Utah Pollution Discharge Elimination System permit (UPDES) and applicable regulation, R317.8 for stormwater discharges, issued by the State of Utah, Division of Water Quality; and
- E. Allow the county to exercise the powers granted by the Utah Code, which provides that, among other powers counties have with respect to stormwater facilities, counties may by ordinance or resolution:
 1. Exercise general regulation over the planning, location, construction, and operation and maintenance of stormwater facilities in the county, whether or not owned and operated by the county;
 2. Adopt any rules and regulations deemed necessary to accomplish the purposes of this title, including the adoption of fees for services and permits;
 3. Establish standards to regulate the quantity of stormwater discharged and to also regulate stormwater contaminants as may be necessary to protect water quality;
 4. Review and approve plans and plats in proposed subdivisions or commercial developments for stormwater management;
 5. Issue permits for stormwater discharges or for the construction, alteration, extension, or repair of stormwater facilities;
 6. Suspend or revoke permits when it is determined that the permittee has violated any applicable law, ordinance, regulation, or condition of the permit;
 7. Take enforcement actions for violations of this ordinance or of the conditions of the permit, including but not limited to notice of violations, consent orders, compliance orders, or cease and desist orders. Enforcement actions may also include the assessment of penalties;
 8. Regulate and prohibit discharges into stormwater facilities of sanitary, industrial, or commercial sewage; waters that have otherwise been contaminated; or non-stormwater, except as allowed under the UPDES stormwater discharge permit; and
 9. Expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of stormwater contamination, whether publicly or privately owned.

(Ord. No. 1686, § I, 11-2-2010)

17.22.020 - Administering entity.

The county engineer shall administer the provisions of this ordinance. Nothing in this ordinance shall relieve any person from responsibility for damages or injury to other persons or property, nor impose upon the county, its officers, agents or employees, any liability for damages or injury to other persons or property.

(Ord. No. 1686, § I, 11-2-2010)

17.22.030 - Definitions.

For the purposes of this section, the following definitions shall apply: words used in the singular shall include the plural, and the plural shall include the singular; words used in the present tense shall include the future tense; the word "shall" is mandatory and not discretionary; and the word "may" is permissive. Words not defined in this section shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

"As-built plans" means drawings depicting conditions as they were actually constructed.

"Best management practices" (BMPs) means the physical, structural, and managerial practices, when used singly or in combination, prevent or reduce pollution of water, approved by the county and incorporated by reference into this ordinance as if fully set out therein. For purposes of this title, the relevant BMPs are more particularly defined in the Salt Lake County Guidance Document for Stormwater Management.

"Channel" means a natural or artificial watercourse with a definite bed and banks that conducts flowing water continuously or periodically.

"County engineer" is the Salt Lake County Engineer, or authorized designee.

"Contaminant" means any physical, chemical, biological, or radiological substance or matter in water.

"Discharge" means dispose, deposit, spill, pour, inject, seep, dump, leak or place by any means any solid or liquid matter, or solid or liquid matter which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked, or placed by any means including any direct or indirect entry into the county separate storm sewer system.

"Easement" means an acquired legal privilege or right of use or enjoyment that a person, party, firm, corporation, municipality or other legal entity has in the land of another.

"Erosion" means the removal of soil particles by the action of water, wind, ice or other geological agents, whether naturally occurring or acting in conjunction with or promoted by human activities or effects.

"Erosion and sediment control plan" means a written plan, including drawings or other graphic representations, designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.

"Illicit connections" means illegal or unauthorized connections to the municipal separate stormwater system whether such connections result in discharges into that system.

"Illicit discharge" means any discharge to the municipal separate storm sewer system that is not composed entirely of uncontaminated stormwater and not specifically exempted under Part I.B.2 of the UPDES permit.

"Land disturbance permit" means the land disturbance permit as adopted or issued by the county.

"Land disturbing activity" means any activity on property that results in a change in the existing vegetative or non-vegetative soil cover or in the existing soil topography, including but are not limited to, development, redevelopment, demolition, construction, reconstruction, clearing, grading, filling, or excavation.

"Maintenance" means any activity that is necessary to keep a stormwater facility in good working condition so as to function as designed. "Maintenance" may include complete reconstruction of a

stormwater facility if reconstruction is needed in order to restore the facility to its original operational design parameters, and the correction of any problem on the site property which may directly impair the functions of the stormwater system or facility.

"Maintenance agreement" means a document recorded in the land records which acts as a property deed restriction and which provides for long-term maintenance of stormwater management practices.

"Municipal separate storm sewer system (MS4)" means the conveyances owned or operated by the county for the collection and transportation of stormwater, including roads and streets and their drainage systems, catch basins, curbs, gutters, ditches, man-made channels, stormwater ponds, basins, wetlands and storm drains.

"Notice of Violation (NOV)" means a notice issued to a person or entity whenever the county engineer finds the person or entity is not complying with this ordinance. The county will order compliance by written notice of violation to the responsible person. Requirements in this notice are at the discretion of the county engineer, and may include monitoring, payment to cover costs relating to the noncompliance, and the implementation of best management practices.

"Off-site facility" means a structural BMP located outside the subject property boundary described in the permit application for land development activity.

"Peak flow" means the maximum instantaneous rate of flow of water at a particular point resulting from a storm event.

"Person" means any and all persons, natural or artificial, including any individual, firm, business entity or association and any municipal or private corporation organized or existing under the laws of Utah or any other state or country.

"Pre-existing conditions" means the conditions of property in its native state or changed under approval by the county.

"Property owner" means the land owner of property within the unincorporated area of Salt Lake County.

"Runoff" means that part of precipitation, snowmelt, or irrigation water that runs off the land into streams or other surface water.

"Sediment" means solid material, both mineral and organic, which is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity or ice and has come to rest on the earth's surface.

"Sedimentation" means the process of subsidence and decomposition by gravity of suspended matter carried by water, wastewater, or other liquids.

"Soils report" means a study of soils on a subject property with the primary purpose of characterizing and describing the soils. The soils report shall be prepared by qualified personnel, who shall be directly involved in the soil characterization either by performing the investigation or by directly supervising employees.

"Stabilization" means providing adequate vegetative or structural means to prevent erosion.

"Stormwater" means stormwater runoff, snow melt runoff, surface runoff, street wash waters related to street cleaning or maintenance, infiltration, and drainage.

"Storm Water Design Standards and Regulations" means any current stormwater standards and regulations adopted by the county.

"Stormwater management" means the programs to maintain quality and quantity of stormwater runoff to pre-development levels.

"Stormwater management facilities system" means the drainage structures, conduits, ditches, combined sewers, sewers, and all device appurtenances by which stormwater is collected, transported, pumped, treated or disposed.

"Stormwater pollution prevention plan (SWPPP)" means the set of drawings and other documents that comprise all the information and specifications for the programs, drainage systems, structures, BMPs, concepts and techniques intended to maintain or restore quality and quantity of stormwater runoff to pre-development levels.

"Stormwater runoff" means flow on the surface of the ground, resulting from precipitation.

"Structural BMPs" means practices which refer to devices constructed to control stormwater runoff.

"Surface water" means waters upon the surface of the earth in bounds created naturally or artificially, including but not limited to, streams, other water courses, lakes and reservoirs.

"TMDL" means total maximum daily load, in accordance with a program implemented by the Utah Division of Water Quality.

"UPDES" means the Utah Pollutant Discharge Elimination System administered by the State of Utah, Division of Water Quality in regulation R317.8.

"Watershed" means all the land area that contributes runoff to a particular point along a waterway.

(Ord. No. 1686, § I, 11-2-2010)

PART II. - Construction Sites

17.22.040 - Land disturbance permits.

- A. Every person will be required to obtain a land disturbance permit from the county engineer in the following cases:
 - 1. Land disturbing activity generally affecting one or more acres of land;
 - 2. Land disturbing activity affecting less than one acre of land if the activity is part of a larger common plan of development affecting one or more acre of land;
 - 3. Land disturbing activity affecting less than one acre of land, if in the discretion of the county engineer such activity poses a unique threat to water or public health or safety;
 - 4. The creation and use of borrow pits; or
 - 5. Processing earthen materials such as top soil and gravel screening.
- B.
 - 1. Property owners shall not alter or restrict natural channels and waterways without proper federal, state and county permits.
 - 2. Modifications of sensitive areas are subject to and governed by the Foothills and Canyons Overlay Zone (Title 19.72). These modifications require a land disturbance permit and approval from all appropriate governing agencies.
 - 3. Property owners proposing to redirect runoff, surface or pipe flow to properties or facilities outside county boundaries must provide written approval from the state, county, neighboring county affected, or municipality affected.
 - 4. Property owners are responsible for the protection of irrigation canals as provided by the relevant sections of this ordinance.
 - 5. Discharges into or modifications of canals require written approval from the canal owners and applicable governing agencies.
- C. Building permit. No building permit shall be issued until the applicant has obtained a land disturbance permit where one is required by this ordinance.
- D. Exemptions. The following activities are exempt from the permit requirement:

1. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources;
 2. Existing nursery and agricultural operations conducted as a permitted main or accessory use;
 3. Any agricultural activity that is consistent with an approved farm conservation plan or a management plan prepared or approved by the appropriate county, federal, or state agency; and
 4. Additions or modifications to existing single family structures.
- E. Application for a land disturbance permit.
1. Each application shall include the following:
 - a. Name of applicant;
 - b. Business or residence address of applicant;
 - c. Name, address and telephone number of the owner of the property of record in the office of the recorder;
 - d. Address and legal description of subject property including the tax reference number and parcel number of the subject property;
 - e. Name, address and telephone number of the contractor and any subcontractor(s) who shall perform the land disturbing activity and who shall implement the erosion and sediment control plan; and
 - f. A statement indicating the nature, extent and purpose of the land disturbing activity including the size of the area for which the permit shall be applicable and a schedule for the starting and completion dates of the land disturbing activity.
 2. Each application shall be accompanied by:
 - a. A stormwater pollution prevention plan (SWPPP) providing for stormwater management during the land disturbing activity and after the activity has been completed;
 - b. A sediment and erosion control plan as part of the SWPPP; and
 - c. Evidence of a state UPDES general permit for construction activities issued by the division of water quality.
 3. The applicant shall obtain from all applicable state or federal agencies all required environmental permits or approvals that pertain to the property, including the following:
 - a. Compliance with water quality standards and TMDL requirements;
 - b. Compliance with federal or state laws pertaining to threatened or endangered species or historic properties; and
 - c. Any additional development requirements or conditions required by the county engineer in accordance with this ordinance or other applicable law on the development of property.
 4. Each application for a land disturbance permit shall be accompanied by payment of land disturbance permit and other stormwater management fees, as established by the county council.
- F. Review and approval of application.
1. The county engineer will review each application for a land disturbance permit to determine whether it conforms with the provisions of this ordinance. Within 15 days after receiving an application, the county engineer shall provide one of the following responses in writing:
 - a. Approval of the permit application;

- b. Approval of the permit application, subject to such reasonable conditions as may be necessary to comply with the objectives of this ordinance; or
 - c. Denial of the permit application, stating the reason(s) for the denial.
- 2. If the county engineer has granted conditional approval of the permit, the applicant shall submit a revised plan that conforms to the conditions established by the county engineer. The applicant shall be allowed to proceed with his land disturbing activity if the activity meets the conditions established by the county engineer. No development plans will be approved until the land disturbance permit has been approved.
- G. Permit duration. Every land disturbance permit shall expire and become null and void if substantial work authorized by such permit has not commenced within one hundred eighty (180) calendar days of issuance, or if work is not complete within eighteen (18) months from the date construction begins.
- H. Notice of construction. The applicant must notify the county engineer ten (10) working days before beginning construction. Regular inspections of the construction site shall be conducted by the county engineer. All inspections shall be documented and written reports prepared containing the following information:
 - 1. The date and location of the inspection;
 - 2. Whether construction complies with the approved SWPPP;
 - 3. Variations from the approved construction specifications; and
 - 4. Any violations.
- I. Performance bonds.
 - 1. The county engineer may, at his discretion, require the applicant post a performance security or performance bond before a permit is issued in order to ensure stormwater practices are met as required by the approved SWPPP.
 - a. The amount of the installation performance security or performance bond shall be the total estimated construction cost of the structural BMPs approved under the permit plus any reasonably foreseeable additional related costs, such as for damages or enforcement activities.
 - b. The performance security shall contain forfeiture provisions for failure to complete the work specified in the stormwater management plan.
 - c. The applicant shall provide an itemized construction cost estimate complete with unit prices, subject to acceptance, amendment or rejection by the county engineer.
 - d. The county engineer shall have the discretion to calculate or amend the applicant's estimated cost of construction cost.
 - 2. The performance security or performance bond shall be released in full only upon submission of as-built plans and written certification by a registered professional engineer licensed in the Utah that the structural BMP has been installed in accordance with the approved plan and other applicable provisions of this ordinance.
 - 3. The county engineer shall make a final inspection of the structural BMP to ensure it complies with the approved plan and this ordinance. A partial pro-rata release of the performance security or performance bond based on the completion of various development stages may be made at the discretion of the county engineer.

(Ord. No. 1686, § I, 11-2-2010)

17.22.050 - Stormwater system design and management standards.

- A. Stormwater design and BMP manuals.

1. The county adopts the following publications as its stormwater design and BMP manuals, which are incorporated by reference in this ordinance:
 - a. Salt Lake County Standard Drawings for Drainage Systems.
 - b. Guidance Document for Stormwater Management of the Public Works department.
 - c. Portions of Basin Plans that apply to unincorporated county.
 - d. Additional stormwater manuals as adopted by the county.
 2. These manuals include a list of acceptable BMPs. The manuals may be updated and expanded from time to time, at the discretion of the council, upon the recommendation of the county engineer, based on improvements in engineering, science, monitoring and local maintenance experience. Stormwater facilities designed, constructed and maintained in accordance with these BMP criteria and manufacturer's recommendations will be presumed to meet the minimum water quality performance standards.
- B. General performance criteria for stormwater management. Unless a site is granted a waiver or determined by the county engineer to be exempt, the following post-construction performance criteria shall be addressed for stormwater management at all sites:
1. The design of storm drain systems within the boundaries of or discharging into a county storm drain system shall be supervised by a Utah registered professional engineer, and shall carry the seal of the supervising professional engineer.
 2. All systems shall be designed to permit control of the peak flow rates of stormwater discharge associated with storm levels specified in this ordinance or in the BMP manual and to reduce the generation of post-construction stormwater runoff back to preconstruction levels. These designs shall to utilize pervious areas for stormwater treatment to the extent possible and infiltrate stormwater runoff from driveways, sidewalks, rooftops, parking lots, and landscaped areas to the maximum extent practical to provide treatment for both water quality and quantity.
 3. To protect stream channels from degradation, specific channel protection criteria shall be provided as prescribed in the BMP manual.
 4. Stormwater discharges to critical areas with sensitive resources, such as, cold water fisheries, swimming beaches, recharge areas, or water supply reservoirs, may be subject to additional performance criteria, or may need to utilize or restrict certain stormwater management practices.
 5. Stormwater discharges from priority sites may require the application of specific structural BMPs and pollution prevention practices.
 6. Prior to or during the site design process, applicants for land disturbance permits shall consult with the county engineer to determine if additional stormwater design requirements are needed.
 7. The calculations for determining peak flows as found in the BMP manual shall be used for determining the size of all stormwater facilities.
- C. Minimum control requirements.
1. Stormwater discharge during all construction activities shall comply with the terms of the land disturbance permit, the Storm Water Design Standards and Regulations, and requirements established by the county building code, and the state UPDES.
 2. Stormwater designs shall meet the multi-stage storm frequency storage requirements required by the county unless the county engineer has granted the applicant a full or partial waiver for a particular BMP under this ordinance.
 3. Runoff rates from one lot to another may not exceed pre-existing conditions or unreasonably and unnecessarily cause more harm than pre-existing conditions.

4. If hydrologic or topographic conditions warrant greater control than provided by the minimum control requirements, the county engineer may impose any and all additional requirements determined necessary to control the volume, timing, and rate of runoff.
 5. In accordance with the UPDES General Permit No. UTR3000000 for common drainage locations that serve areas with ten or more acres disturbed at one time, a sediment basin shall be constructed which provides storage for a ten-year, twenty-four-hour storm event or for a calculated volume of runoff for disturbed acres drained or equivalent control measures shall be prepared until final stabilization of the site. Where calculations are not performed, a sediment basin providing three thousand six hundred cubic feet of storage per acres drained, or equivalent control measures, must be provided where possible until final stabilization of the site.
- D. Property owners are responsible to manage stormwater runoff and sediment which traverse or originate on their property, whether in conduit systems or on the surface, unless this responsibility is relinquished through the terms and conditions of an easement. The SWPPP must be retained on-site and shall include sufficient information to allow the county engineer to evaluate the environmental characteristics of the project site, the potential water resource impacts of all proposed present and future development of the site, and the effectiveness and acceptability of the measures proposed for managing stormwater generated at the project site. The SWPPP shall include the following:
1. A description of the construction activity including:
 - a. The intended sequence of major activities which disturb soils for major portions of the site;
 - b. An estimate of the total area of the site and the area expected to be disturbed by excavation, grading, or other activities; and
 - c. Written procedures for trash control including building materials, concrete truck washout, chemicals, litter and sanitary waste.
 2. A 1" = 500' topographic base map of the site which extends a minimum of one thousand feet beyond the limits of the proposed development and indicates:
 - a. Existing surface water drainage including streams, ponds, culverts, ditches, sink holes and wetlands and showing the type, size, elevation, of nearest upstream and downstream drainage structures;
 - b. Construction boundaries and a description of existing vegetation prior to grading activities;
 - c. Areas of soil disturbance and areas of no disturbance;
 - d. Current land use including all existing structures, locations of utilities, roads, and easements;
 - e. The location of areas used for construction support;
 - f. The location of areas where stabilization practices are expected to occur;
 - g. The location of areas where stormwater is discharged or will discharge to a surface water;
 - h. All other existing significant natural and artificial features;
 - i. Proposed land use with tabulation of the percentage of surface area to be adapted to various uses, drainage patterns, locations of utilities, roads and easements, and the limits of clearing and grading; and
 - j. Proposed structural and non-structural BMPs.
 - k. The map shall include a written description of the site plan and a justification of proposed changes in natural conditions, if required.
 3. Hydrologic and hydraulic design calculations for the predevelopment and post-development conditions for the design storms specified in the BMP manual. These calculations must show the proposed stormwater management measures are capable of controlling runoff from the site

in compliance with this ordinance and the guidelines of the BMP manual. Such calculations shall include:

- a. A description of the design storm frequency, duration, and intensity where applicable;
 - b. Time of concentration;
 - c. Soil curve numbers or runoff coefficients including assumed soil moisture conditions;
 - d. Peak runoff rates and total runoff volumes for each watershed area;
 - e. Infiltration rates, where applicable;
 - f. Culvert, stormwater sewer, ditch and other stormwater conveyance capacities;
 - g. Flow velocities;
 - h. Data on the increase in rate and volume of runoff for the design storms referenced in the BMP manual; and
 - i. Documentation of sources for all computation methods and field test results.
4. If SWPPP control measures depend on the hydrologic properties of soils, such as infiltration basins, a soils report shall be included. The soils report shall be based on on-site boring logs or soil pit profiles and soil survey reports. The number and location of required soil borings or soil pits shall be determined based on what is reasonably needed to determine the suitability and distribution of soil types present at the location of the control measure.
 5. Location of stormwater velocity dissipation devices placed at discharge locations and along the length of any outfall channel to provide a non-erosive flow velocity from the structure to a waterway.
 6. Plans and methods for minimizing off-site tracking and the generation of dust.
 7. Detailed maintenance and repair procedures to ensure continued performance. These procedures will identify the parts or components of a SWPPP facility to be maintained and the equipment and skills or training necessary. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan. A permanent elevation benchmark shall be identified in the procedures to assist in the periodic inspection of the facility.
 8. A detailed plan for management of vegetation at the site after construction is finished, including the persons or entities responsible for the maintenance of vegetation at the site and the practices employed to ensure that adequate vegetative cover is preserved. Where required by the BMP, this plan must be prepared by qualified personnel.
 9. The applicant shall keep the SWPPP current. If there is a change in design, construction, operation, or maintenance of BMPs, the applicant must amend the SWPPP accordingly. If the county engineer determines the SWPPP to be ineffective in controlling stormwater pollutants, the county may require the applicant to modify the SWPPP. The SWPPP must be modified by the applicant whenever a new owner or operator becomes responsible for implementing the SWPPP. If a SWPPP has been completed for a proposed development, subsequent builders may utilize portions of the original SWPPP with appropriate site specific modifications.
- E. The applicant must ensure access to the site for the purpose of inspection and repair by securing all the maintenance easements needed and transferring those easements by deed to the county. Easements shall be binding on the current property owner and all subsequent owners, agents and assigns and shall be properly recorded.
 - F. The owner of property to be served by an on-site stormwater management facility shall execute an inspection and maintenance agreement that shall operate as a deed restriction binding on the current property owner and all subsequent property owners, agents and assigns. The maintenance agreement shall:

1. Assign responsibility for the maintenance and repair of the stormwater facility to the owner of the property upon which the facility is located and be recorded as such on the plat for the property by appropriate notation.
 2. Provide for a periodic inspection by the property owner for the purpose of documenting maintenance and repair needs and ensuring compliance with the purpose and requirements of this ordinance. The property owner shall cause this inspection to be conducted by a registered professional engineer licensed to practice in Utah who will submit a report, with his seal, of the inspection to the county engineer. The maintenance agreement shall grant permission to the county to enter the property at reasonable times and inspect the stormwater facility to ensure it is being properly maintained.
 3. Provide minimum maintenance and repair needs including, but are not limited to, the removal of silt, litter and other debris, the cutting of grass; grass cuttings, waste and vegetation removal; leave in replacement of landscape vegetation in detention and retention basins and inlets and drainage pipes and other stormwater facilities. The agreement shall also provide the property owner shall be responsible for additional maintenance and repair needs consistent with the needs and standards outlined in the BMP manual.
 4. Provide that maintenance needs must be addressed in a timely manner, on a schedule to be determined by the county engineer.
 5. Provide if the property is not maintained or repaired within the prescribed schedule, the county engineer shall perform the maintenance and repair at its expense, and bill the cost thereof to the property owner. The maintenance agreement shall also provide the county engineer's cost of performing the maintenance shall be a lien against the property.
- G. The county shall have the discretion to accept the dedication of any existing or future stormwater management facility, provided such facility meets the requirements of this ordinance and includes adequate and perpetual access and sufficient areas, by easement or otherwise, for inspection and regular maintenance. Any stormwater facility accepted by the county must also meet the county's construction standards and any other standards and specifications which apply to the particular stormwater facility in question.
- H. The applicant must prepare a sediment and erosion control plan for all construction activities that complies which shall accurately describe the potential for soil erosion and sedimentation problems resulting from land disturbing activity and shall explain and illustrate the measures to be taken to control these problems. The length and specificity of the plan shall be commensurate with the size of the project, the site condition, and potential for off-site damage. The plan shall be prepared under seal by a registered professional engineer licensed in Utah. The plan shall also conform to the requirements found in the BMP manual and shall include at least the following:
1. A description of the intended project and proposed land disturbing activity including number of units and structures to be constructed and infrastructure required;
 2. A topographic map with contour intervals of five feet or less showing present conditions and proposed contours resulting from land disturbing activity;
 3. All existing drainage ways, including intermittent and wet-weather ways, with any designated floodways or floodplains;
 4. A general description of existing land cover, not to include individual trees and shrubs;
 5. Stands of existing trees as they are to be preserved upon project completion, specifying their general location on the property. Differentiation shall be made between existing trees to be preserved, trees to be removed and proposed planted trees. Tree protection measures must be identified, and the diameter of the area involved must also be identified on the plan and shown to scale. Information shall be included concerning the proposed destruction of exceptional and historic trees in setbacks and buffer strips, where they exist. Complete landscape plans may be submitted separately. The plan must include the sequence of implementation for tree protection measures;

6. Approximate limits of proposed clearing, grading and filling;
7. Approximate flows of existing stormwater leaving any portion of the site;
8. A general description of existing soil types and characteristics and any anticipated soil erosion and sedimentation problems resulting from existing characteristics;
9. Location, size and layout of proposed stormwater and sedimentation control improvements;
10. Proposed drainage network;
11. Proposed drain tile or waterway sizes;
12. Approximate flows leaving site after construction and incorporating water run-off mitigation measures. The evaluation must include projected effects on property adjoining the site and on existing drainage facilities and systems. The plan must address the adequacy of outfalls from the development; when water is concentrated, the capacity of waterways, if any, accepting stormwater offsite; and the measures, including infiltration, sheeting into buffers, and other measures used to prevent the scouring of waterways and drainage areas off-site;
13. The projected sequence of work represented by the grading, drainage and sedimentation and erosion control plans relating to other major items of construction, beginning excavation and including the construction of any sediment basins or retention facilities or any other structural BMPs;
14. Specific remediation measures to prevent erosion and sedimentation run-off. Plans shall include detailed drawings of all control measures used and stabilization measures including both temporary and permanent vegetation and non-vegetation measures. Detailed construction notes and a maintenance schedule shall be included for all control measures in the plan;
15. Specific details for the construction of rock pads, wash down pads, and settling basins for controlling erosion; road access points; and eliminating or keeping soil, sediment, and debris on streets and public ways at a level acceptable to the county engineer. Soil, sediment, and debris brought onto streets and public ways must be removed by the end of the work day by machine, broom or shovel to the satisfaction of the county engineer. Failure to remove the sediment, soil or debris shall be deemed a violation of this ordinance;
16. Location and identification of any proposed additional buildings, structures or development on the site; and
17. A description of on-site measures to be taken to recharge surface water into the ground water system through infiltration.

(Ord. No. 1686, § I, 11-2-2010)

PART III. - Post construction.

17.22.060 - As-built plans.

All applicants are required to submit actual as-built plans for any structures located on-site within 60 days after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be prepared under seal by a registered professional engineer licensed to practice in Utah. A final inspection by the county engineer is required before any performance security or performance bond will be released. The county engineer shall have the discretion to adopt provisions for a partial pro-rata release of the performance security or performance bond on the completion of various stages of development. In addition, a Certificate of Occupancy shall not be granted until corrections to all BMPs have been made and accepted by the county engineer.

(Ord. No. 1686, § I, 11-2-2010)

17.22.070 - Landscaping and stabilization requirements.

Any area of land from which the natural vegetative cover has been either partially or wholly cleared by development activities shall be revegetated according to a schedule approved by the county engineer. The following criteria shall apply to revegetation efforts:

- A. Reseeding must be done with an annual or perennial cover crop accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until such time as the cover crop is established on more than seventy percent of the seeded area.
- B. Replanting with native woody and herbaceous vegetation must be accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until the plantings are established and are capable of controlling erosion.
- C. In addition to the above requirements, a landscaping plan must be submitted with the final design describing the vegetative stabilization and management techniques to be used at the site after construction is completed. This plan shall explain how the site will be stabilized after construction, who will be responsible for the maintenance of vegetation at the site, and what practices will be employed to ensure that adequate vegetative cover is preserved.

(Ord. No. 1686, § I, 11-2-2010)

17.22.080 - Inspection of stormwater management facilities.

Periodic inspections of facilities shall be performed by the county engineer to determine and ensure that the facilities are adequately maintained, continue to perform in an adequate manner, and are in compliance with applicable law and the inspection and maintenance agreement. Such inspections shall be conducted in a reasonable manner, at reasonable times and upon reasonable notice to responsible parties as determined by the county engineer.

(Ord. No. 1761, § II, 11-5-2013; Ord. No. 1686, § I, 11-2-2010)

17.22.090 - Records of installation and maintenance activities.

Parties responsible for the operation and maintenance of a stormwater management facility shall make records of the installation and of all maintenance and repairs to the facility and shall retain the records for at least three years. These records shall be made available to the county engineer during inspection of the facility and at other reasonable times upon request.

(Ord. No. 1686, § I, 11-2-2010)

17.22.100 - Failure to meet or maintain design or maintenance standards.

If a responsible party fails or refuses to meet the design or maintenance standards required for stormwater facilities under this ordinance, the county engineer, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the stormwater management facility becomes a danger to public safety or public health, the county engineer shall notify in writing the party responsible for maintenance of the stormwater management facility. Upon receipt of the notice, the responsible person shall have 15 days to effect maintenance and repair of the facility in an approved manner. In the event the corrective action is not undertaken within that time, the county engineer may take necessary corrective action. The cost of any activities by the county engineer under this section shall be charged to the responsible party.

(Ord. No. 1686, § I, 11-2-2010)

17.22.110 - Waivers.

- A. Every applicant shall be responsible for all post-construction stormwater management activities required by this ordinance unless a request to waive this requirement is approved. Requests to waive the stormwater management plan requirements shall be submitted in writing to the county engineer for approval.
- B. The minimum requirements for stormwater management may be waived in whole or part upon written request of the applicant, provided that at least one of the following conditions applies:
 - 1. The applicant demonstrates that the proposed development is not likely to impair attainment of the objectives of this ordinance;
 - 2. Alternative minimum requirements for on-site management of stormwater discharges have been established in a stormwater management plan approved by the county engineer; or
 - 3. Provisions are made to manage stormwater by an off-site facility which must be currently in place and designed to provide the level of stormwater control equal to or greater than controls afforded by on-site practices. Further, the off-site facility must be operated and maintained by an entity that is legally obligated to continue the operation and maintenance of the facility.
- C. To receive a waiver, the applicant must demonstrate to the satisfaction of the county engineer the waiver will not lead to any of the following conditions downstream:
 - 1. Deterioration of existing culverts, bridges, dams, and other structures;
 - 2. Degradation of biological or ecological functions or habitat;
 - 3. Accelerated streambank or streambed erosion or siltation;
 - 4. Increased threat of flood damage to public health, life or property; or
 - 5. Degradation of receiving water quality.
- D. No land disturbance permit shall be issued where a waiver has been requested until the waiver is granted. If no waiver is granted, the plans must be resubmitted with a stormwater management plan.

(Ord. No. 1761, § III, 11-5-2013; Ord. No. 1686, § I, 11-2-2010)

PART IV. - Ordinance applicability at existing location and developments.

17.22.120 - Existing locations and developments.

- A. The following requirements shall apply to all locations and development where land disturbing activities have occurred before enactment of this ordinance:
 - 1. Denuded areas must be vegetated or covered under the standards and guidelines specified in the BMP manual and on a schedule acceptable to the County Engineer.
 - 2. Cuts and slopes must be properly covered with appropriate vegetation or retaining walls constructed.
 - 3. Drainage ways shall be properly covered in vegetation or secured with rip-rap, channel lining, or other means capable of preventing erosion.
 - 4. Trash, junk, and other materials shall be cleared from drainage ways.
 - 5. Stormwater runoff shall be controlled to the extent reasonable to prevent pollution of local waters. Such control measures may include, but are not limited to, the following:

- a. Ponds, such as:
 - i. Detention pond;
 - ii. Extended detention pond;
 - iii. Wet pond; or
 - iv. Alternative storage measures;
 - b. Constructed wetlands;
 - c. Infiltration systems, such as:
 - i. Infiltration/percolation trench;
 - ii. Infiltration basin;
 - iii. Drainage (recharge) well; or
 - iv. Porous pavement;
 - d. Filtering systems, such as:
 - i. Catch basin inserts/media filter;
 - ii. Sand filter;
 - iii. Filter/absorption bed; or
 - iv. Filter and buffer strips; or
 - e. Open channel, such as a swale.
- B. The county engineer shall notify in writing the owners of existing locations and developments of specific drainage, erosion or sediment problems affecting such locations and developments and the specific actions required to correct those problems. The notice shall also specify a reasonable time for compliance.
- C. The county engineer may, to the extent authorized by state and federal law, or this ordinance, establish inspection programs to verify that all stormwater management facilities, including those built before or after the adoption of this ordinance, are functioning within design limits. These inspection programs may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are likely to cause violations of the county's UPDES stormwater permit; and joint inspections with other agencies inspecting under environmental, safety or other laws. Inspections may include, but are not limited to, reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other BMPs.
- D. Corrective measures imposed by the county engineer under this section are subject to appeal under § 17.22.200 of this ordinance.

(Ord. No. 1686, § I, 11-2-2010)

PART V. - Illicit discharges and connections.

17.22.130- Illicit discharges.

- A. This section shall apply to all water generated on developed or undeveloped land entering the county's separate storm sewer system.

- B. No person shall introduce or cause to be introduced into the county storm sewer system any discharge that is not composed entirely of uncontaminated stormwater. The commencement, conduct or continuance of any non-stormwater discharge to the county storm sewer system is prohibited except as described as follows:
1. Discharges from the following:
 - a. Water line flushing;
 - b. Landscape irrigation;
 - a. Diverted stream flows;
 - d. Rising ground waters;
 - e. Uncontaminated ground water infiltration (as defined at 40 C.F.R. 35.2005(2)) to separate storm sewers;
 - f. Uncontaminated pumped groundwater;
 - g. Discharges from potable water sources;
 - h. Uncontaminated footing/foundation drains;
 - i. Air conditioning condensate;
 - j. Irrigation water;
 - k. Springs;
 1. Uncontaminated water from crawl space pumps;
 - m. Individual residential car washing;
 - n. Flows from riparian habitats and wetlands;
 - o. Dechlorinated swimming pool discharges;
 - p. Residential street wash water;
 - q. Dechlorinated water reservoir discharges;
 - r. Discharges or flows from emergency firefighting activity.
 2. Discharges specified in writing by the county engineer as being necessary to protect public health and safety.
 3. Dye testing is an allowable discharge if the county engineer has so specified in writing.
 4. The prohibition shall not apply to any non-storm water discharge permitted under an UPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the state division of water quality, provided the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations and provided that written approval has been granted for any discharge to the storm drain system.

(Ord. No. 1761, § IV, 11-5-2013; Ord. No. 1686, § I, 11-2-2010)

17.22.140 - Illicit connections.

- A. The construction, use, maintenance or continued existence of illicit connections to the separate county storm sewer system is prohibited.
- B. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection, or made before the effective date of this ordinance.

(Ord. No. 1686, § I, 11-2-2010)

17.22.150 - Reduction of stormwater pollutants by the use of best management practices.

Any person responsible for a property or premises, which is or may be the source of an illicit discharge, may be required to implement, at the person's expense, the BMPs necessary to prevent the further discharge of pollutants to the county storm sewer system. Compliance with all terms and conditions of a valid National Pollutant Discharge Elimination System permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

(Ord. No. 1686, § I, 11-2-2010)

17.22.160 - Notification of spills.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials which are resulting in, or likely to result in the illicit discharges or pollutants into the county storm sewer system, the person shall take all necessary steps to ensure the discovery, containment, and cleanup of the release. In the event of such a release of hazardous materials the person shall immediately notify applicable emergency response agencies of the occurrence. In the event of a release of non-hazardous materials, the person shall notify the county engineer no later than the next business day. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge, the notices given, and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

(Ord. No. 1785, § II, 6-9-2015; Ord. No. 1686, § I, 11-2-2010)

PART VI. - Enforcement Actions and Penalties.

17.22.170 - Enforcement actions.

- A. The authority to enforce the provisions of this ordinance is vested in the county engineer.
 - 1. The county engineer shall have the authority to issue notices of violation and stop work orders and to impose the civil penalties provided in this section.
 - 2. With the issuance of a land disturbance permit, the county engineer shall be permitted to enter and inspect facilities subject to this ordinance at all reasonable times and as often as necessary to determine compliance. Failure to comply with this ordinance may result in criminal prosecution, punitive sanctions by the Salt Lake Valley Health Department (SLVHD) or by other means identified in law, ordinance or permits or terms set forth in development applications.
- B. Notification of violation.
 - 1. Whenever the county engineer finds that any permittee or any other person discharging stormwater has violated or is violating this ordinance or a permit or order issued hereunder, the county engineer may serve upon such person written notice of the violation. Within ten days of this notice, that person shall submit a written explanation of the violation and a plan for the satisfactory correction thereof, including specific required actions, to the county engineer. Submission of this plan does not relieve the discharging person of liability for any violations occurring before or after receipt of the notice of violation.
 - 2. The county engineer is empowered to enter into consent orders, assurances of voluntary compliance, or other similar means establishing an agreement with the person responsible for

the noncompliance. Such orders will include specific action to be taken by the person to correct the noncompliance within a time period set out in the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to subparagraphs 4, 5 and 6 below.

3. The county engineer may order any person who violates this ordinance or any permit or order issued hereunder, to show cause why a proposed enforcement action should not be taken. Notice shall be served on the person specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the violator show cause why this proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten days prior to the hearing.
 4. When the county engineer finds that any person has violated or continues to violate this ordinance or any permit or order issued here under, he may issue an order to the violator directing that adequate structures, devices, be installed or procedures implemented and properly operated with that period specified in the order. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the construction of appropriate structures, installation of devices, self-monitoring, and adequate management practices.
 5. When the county engineer finds any person has violated or continues to violate this ordinance or any permit or order issued hereunder, he may issue an order to cease and desist all such violations and direct those persons in noncompliance to comply forthwith or take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating any discharge.
 6. In the event any person or any holder of a land disturbance permit pursuant to this ordinance violates the terms of the permit or any provision of this ordinance, or implements site development in such a manner as to materially adversely affect the health, welfare, or safety any of persons or be injurious to property or improvements, the county engineer may issue a stop work order, directing no further work on the development shall be performed or approved, until otherwise authorized by the county.
- C. Whenever there is a conflict between any standard contained in this ordinance and in the BMP manual adopted by the county under this ordinance, the strictest standard shall prevail.

(Ord. No. 1686, § I, 11-2-2010)

17.22.180- Penalties.

- A. Any person who commits any act declared unlawful under this ordinance, who violates any provision of this ordinance, who violates the provisions of any permit issued pursuant to this ordinance, or who fails or refuses to comply with any lawful communication or any notice to abate or take corrective action issued by the county engineer, shall be guilty of a class B misdemeanor.

Each day of violation shall constitute a separate violation.

- B. Civil penalties imposing fines and damages or injunctive relief issued by the county engineer may include consideration of:
1. The harm done to the public health or the environment;
 2. Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity;
 3. The economic benefit gained by the violator;
 4. The effort put forth by the violator to remedy this violation;
 5. Any unusual or extraordinary enforcement costs incurred by the county;

6. The penalty established by law, such as the Utah Water Quality Act and the Utah Solid and Hazardous Waste Act, for specific categories of violations; and
 7. Any equities or aggravating or mitigating considerations.
- C. In addition to any civil penalty imposed pursuant to s subsection B. above, the county may recover all damages proximately caused by the violator to the county, which may include any reasonable expenses incurred in investigating violations of and enforcing compliance with this ordinance, any other actual damages caused by the violation, and the costs of the county's construction maintenance or repair of stormwater facilities when the user or owner of such facilities fails to maintain them as required by this ordinance.
 - D. The county may bring legal action to enjoin the continuing violation of this ordinance and the existence of any other remedy, at law or equity, shall be no defense to any such actions.
 - E. The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any civil or criminal action that one or more of the remedies herein has been sought or granted.

(Ord. No. 1761, § V, 11-5-2013; Ord. No. 1686, § I, 11-2-2010)

17.22.190 - Appeals.

- A. Any person aggrieved by the imposition of a civil penalty or damage assessment as provided by this ordinance may appeal said penalty or damage assessment to the county council.
- B. The appeal shall be in writing and filed with the county council clerk within fifteen days after the civil penalty or damage assessment was served.
- C. Upon receipt of an appeal, the county council shall conduct a public hearing within thirty days. Ten days prior notice of the time, date, and location of the hearing shall be published in a daily newspaper of general circulation. Ten days notice by registered mail shall also be provided to the appellant at the address provided by the appellant in his appeal. The decision of the county council shall be final.
- D. An appellant may appeal a decision of the county's governing body to district court as provided by state law.

(Ord. No. 1686, § I, 11-2-2010)

Title 9 Salt Lake County Health Department (includes wastewater regulations)

Title 9 - HEALTH AND SAFETY

Chapters:

Chapter 9.04 - SALT LAKE COUNTY BOARD OF HEALTH^[1]

Sections:

Footnotes:

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Editor's note— Ord. No. 1747, § II, adopted April 16, 2013, amended the Code by renaming Ch. 9.04.

9.04.010 - Created— Title.

There is hereby created a local board of health which shall be known as the "Salt Lake County board of health."

(Ord. 1747, § II, 4-16-2013; Ord. 1473 (part), 2001; Prior code § 9-1-1)

9.04.020 - Authority.

The Salt Lake County health department operates as a local health department under Title 26A, Chapter 1, Utah Code Annotated, 1953 as amended, and as organized under Section 26A-1-103 as a county health department.

(Ord. 1747, § II, 4-16-2013; Ord. 1473 (part), 2001)

9.04.030 - Membership.

The Salt Lake County board of health shall consist of fifteen members residing in Salt Lake County, including: a member of the county council and fourteen other members, appointed by the county mayor with advice and consent of the county council.

A. Board members shall be nonpartisan and include geographical representation from both the incorporated and unincorporated areas of the county. Members should have knowledge or an interest in public health and environmental matters and shall include:

1. A physician or surgeon licensed in the state;
2. A dentist licensed in the state;
3. A health care professional licensed in the state;
4. A non-health care professional licensed in the state;
5. Two representatives of the public not representing or connected with the regulated business community;
6. A representative of the regulated business community;
7. A mayor representing a municipality in the county;
8. A representative of the unincorporated county.

- B. Any potential conflict of interest of any member shall be disclosed in accordance with applicable statutes and countywide policies and procedures.
- C. The board shall adopt bylaws governing the election of officers, committees, task forces and other advisory bodies to the board. The board members' terms of service shall be governed by state law.

(Ord. 1747, § II, 4-16-2013; Ord. 1473 (part), 2001: Ord. 727 (part), 1980: prior code § 9-1-2(part))

9.04.040 - Powers and duties.

The Salt Lake County health department has jurisdiction under Section 26A-1-108, Utah Code Annotated, 1953 as amended, in all unincorporated and incorporated areas of the county. The Salt Lake County board of health is hereby empowered to enforce all ordinances of the county and all applicable ordinances of the municipalities, and the laws, rules, and regulations and standards of the state of Utah, now in force or that may hereafter be enacted, which relate to the health, sanitation and environment of the county.

(Ord. 1747, § II, 4-16-2013; Ord. 1473 (part), 2001: Prior code § 9-1-3)

9.04.050 - Director of health—Appointment—Powers and duties.

- A. The director of the Salt Lake County health department shall be appointed by the county board of health:
 - 1. If the director of health is a physician, they shall be a full-time physician who is a graduate of a legally chartered and legally constituted medical school, licensed to practice medicine in Utah. A license may be secured within six months from the date of appointment, and their employment will be subject to such other requirements as are set out by the state and the county merit system.
 - 2. If the director of health is not a physician, they shall have successfully completed a master's degree in public health, nursing or other health discipline related to public health, or public administration, or business administration from an accredited school and have at least five years of professional public health experience, of which at least three years were in a senior level administrative capacity; or have successfully completed a bachelor's degree in a field closely related to public health work from an accredited school and have at least twelve years of professional full-time public health experience, of which at least ten years have been in a senior level administrative capacity.
 - 3. If the director of health is not a physician, the county health department shall contract with or employ a physician that is: residing in Utah and licensed to practice medicine in Utah; competent and experienced in a primary medical care field, such as family practice, pediatrics, or internal medicine; board certified in preventive medicine or in a primary medical care field, such as family practice, pediatrics, or internal medicine; able to supervise and oversee clinical services delivered within the county health department, including the approval of all protocols and standing orders; able to play a substantial role in reviewing policies and procedures addressing human disease outbreaks of public health importance; and able to participate in the Utah Department of Health's local health department physician network.
- B. The director of health shall have and exercise the following powers and duties, in addition to all other powers and duties required of him by state law, federal law, and local ordinance:
 - 1. Be the chief executive and administrative officer of the Salt Lake County health department, and the secretary and executive officer of the board of health;

2. Succeed to all powers and discharge all duties and perform all functions that by existing law are conferred upon or required to be discharged or performed by the Salt Lake County health director, or the board of health;
3. With the approval of the board of health, to designate a member of the staff of the department of health as acting director of health, to act for and perform all the duties and functions of the director of health during any absence or disability;
4. To prescribe standard operating procedures consistent with the law and countywide policies for the direction of the department, the conduct of its employees, the distribution and performance of its business, and the custody, use and preservation of the records, papers, books, documents and property pertaining to the department of health;
5. To approve travel and subsistence expenses necessary for employees of the department, as actually and necessarily incurred in the performance of their official duties when absent from their places of residence;
6. Wherever the director of health is responsible for the performance of any act, an appropriate employee of the department may be authorized to act for the director;
7. Serve, without additional compensation or payment of fees provided by law, as local registrar of vital statistics for the area over which the department has jurisdiction with respect to enforcement of state health laws;
8. Serve as official health consultant to and official health spokesman for elected officials in the county, cities and towns in which the department has jurisdiction;
9. To promote and enforce all federal, state and local public health laws, ordinances, codes, rules and regulations in the department's areas of jurisdiction.

(Ord. 1747, § II, 4-16-2013; Ord. 1473 (part), 2001; Ord. 727 (part), 1980; prior code § 9-1-2(part))

9.04.060 - Public health rules and regulations.

The board of health shall make such rules and regulations, pursuant to Title 26A of the Local Health Department Act and Title 19, Environmental Quality Code, not contrary to law as may be deemed necessary for the protection and preservation of the public health, safety and environment, and to prevent the outbreak or spread of infectious or contagious diseases and the enforcement of the quarantine laws against any or all persons afflicted with or that have been exposed to any contagious or infectious diseases. Such rules and regulations shall have the force and effect of law if they are finally adopted by the board of health, after proper public notice and an opportunity for hearing is given.

(Ord. 1473 (part), 2001; Prior code § 9-1-4)

Chapter 9.08 - HEALTH NUISANCES AND ABATEMENT

Sections:

9.08.010 - Nuisance abatement—Investigation of complaints.

The health department shall cause every nuisance dangerous to health and human life, within its jurisdiction, to be abated. When complaint of such nuisance is made to it, the board of health shall cause the matter to be investigated and shall determine whether or not the alleged nuisance is detrimental to the public health.

(Prior code § 9-1-5(part))

9.08.020- Notification of nuisance—County abatement authority.

Whenever the health department shall determine that a nuisance detrimental to health exists, it shall in writing notify the owner or occupant of the premises where such nuisance may be found, and shall order the abatement or removal pursuant to such order. The health department may summarily proceed to abate or remove the same, or it may cause an action to be brought in the name of the state of Utah by the attorney for the abatement of such nuisance.

(Prior code § 9-1-5(part))

9.08.030- Fly control.

It is unlawful for any person to permit, or have on his premises, whether owned or occupied by him, either one or more of the following unsanitary conditions:

- A. Any privy, cesspool, sink, pit or like place that is not securely protected from flies;
- B. Garbage that is not securely protected from flies;
- C. Vegetable waste, trash, litter, rags or refuse of any kind in which flies may breed.

(Prior code § 9-1-6)

9.08.040- Stagnant water.

Any stagnant pool of water in the county is hereby declared to be a nuisance. It is unlawful for any person, firm or corporation to permit any such nuisance to remain or exist on any property under his or its control.

(Prior code § 9-10-3)

Chapter 9.12- COMMUNICABLE DISEASES

Sections:

9.12.010- Report requirements.

It shall be the duty of every physician or other person caring for the sick in the county to make a report to the health department immediately after such person becomes aware of the existence of any case of a communicable disease in his or her charge, and it shall be the duty of each and every person, owner, agent, manager or superintendent of any public or private institution, or dispensary, hotel, boardinghouse or roominghouse to make a report in like manner of any inmate, occupant or boarder suffering from any communicable disease.

(Prior code § 9-6-1)

9.12.020- Quarantine rules.

The board of health is authorized and empowered to make all necessary rules to properly quarantine any person who has a contagious disease or who has been exposed to a contagious disease, and to prescribe the period of quarantine for the various diseases.

(Prior code § 9-6-2)

9.12.030 - Disinfection—Clothing and other objects.

It is unlawful for any person to give, lend, sell, transmit or expose, without previous disinfection in accordance with the rules of the board of health, any bedding, clothing, rags or other objects that have been exposed to infection from any of the communicable diseases.

(Prior code § 9-6-3)

9.12.040 - Disinfection—Vehicles.

It is unlawful for any person to knowingly convey a person afflicted with a contagious disease in a vehicle or other means of transportation unless he shall immediately thereafter disinfect his conveyance in a thorough manner.

(Prior code § 9-6-4)

Chapter 9.16 - INDIGENT DEAD

Sections:

9.16.010 - Purpose of provisions.

The state has recognized that the proper disposition of human remains is a proper county function as set forth in Utah Code Annotated Section 17-53-221 (2000). This chapter recognizes that the prompt and proper disposition of human remains implicates issues of public health, the investigation and prosecution of homicides, the decreasing availability of burial plots, and society's general acceptance of cremation as a proper and dignified disposition of human remains. This chapter further provides that Salt Lake County may contract with one or more funeral homes for the disposition of the remains of deceased indigent persons.

(Ord. 1640 § 1 (part), 2008)

9.16.020 - Cremation services—Designated.

The remains of indigent persons who die within the county shall be cremated; provided, however, that the remains of indigent homicide victims may, at the county's discretion, be buried in a plot designated by the county. The county's obligation for the cremation of any deceased indigent person's remains shall not include the costs associated with any service or memorial.

(Ord. 1640 § 1 (part), 2008)

(Ord. No. 1827, § III, 4-10-2018)

9.16.030 - Attendance of services and disposal of remains.

The friends and family of a deceased indigent person shall have the right to attend and witness cremation services held under this chapter. If any surviving family member of a deceased indigent person so desires, cremated remains shall be deposited in an urn or other suitable container and custody thereof given to that family member. If a deceased indigent person has no known surviving family, or if family members decline custody of cremated remains, such remains shall be disposed of at the discretion of the mortuary responsible for cremation and such disposal shall be performed with all due respect for the dead.

(Ord. 1640 § 1 (part), 2008)

9.16.040 - Objections to cremation.

In the event that a deceased indigent person's surviving spouse, sibling, parent, or direct descendant objects to disposition by cremation, the county may provide a payment equal to the cost of cremation toward the burial or other disposition of that deceased indigent person; provided, however, that the county shall have no further responsibility for supplying any casket or crypt, providing a burial plot, paying for any funeral or burial services, or for transporting that deceased indigent person's remains, and the statutory requirements of Utah Code Annotated Section 17-53-221 (2000), shall be deemed fully satisfied.

(Ord. 1640 § 1 (part), 2008)

Chapter 9.20 - PARACHUTE JUMPING

Sections:

9.20.010 - Written permission required for parachute jumping.

It is unlawful for any person, except in an emergency, to make a parachute jump, or for any pilot in command of an aircraft to allow a parachute jump to be made from that aircraft, within the limits of the county, unless prior permission in writing is first had and obtained from the mayor.

(Ord. 1473 (part), 2001; Prior code § 16-13-1)

9.20.020 - Jumps to be in compliance with law.

Any such approved parachute jump shall be made strictly in compliance with all pertinent rules and regulations of the federal government, the state of Utah, and the county of Salt Lake and its cities and town.

(Prior code 16-13-2)

Chapter 9.24 - CULINARY WATER PROTECTION

Sections:

9.24.010 - Watershed protection regulations—Adopted by reference.

The provisions of the health department, Health Regulation No. 14, entitled "Watersheds," as currently adopted by the board of health under authority of Section 26-24-20, Utah Code Annotated (1953), as amended, are hereby incorporated in their entirety by reference. Three copies of the current regulations shall be filed with and retained by the county clerk and with the health department for examination by any person.

(Prior code § 100-2-1)

9.24.020 - Watershed protection regulations—Violations.

Violation of any provision of any health regulation incorporated in this chapter shall constitute a Class B misdemeanor as defined by the Utah State Code. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such.

(Prior code § 100-2-2)

Chapter 9.25 - WATER SOURCE PROTECTION

Section

Appendix A

9.25.010 - Purpose and intent.

- A. This chapter shall be known as the Salt Lake County Water Source Protection Ordinance.
- B. The purpose of this chapter is to comply with Utah Code Ann., §19-4-113 requiring counties to adopt a water source protection ordinance to protect groundwater sources of public drinking water. This chapter establishes use districts, known as drinking water source protection zones, and surrounding groundwater sources used by public drinking water systems and also provides for the regulation of land uses within such protection zones to prevent pollution.
- C. Salt Lake County has the authority to adopt this chapter to facilitate the protection of groundwater source areas pursuant to the Safe Drinking Water Act, § 19-4-113; the County Land Use, Development and Management Act, §§ 17-27a-101, et seq.; the Local Health Department Act §§ 26A-1-101, et seq., Utah Code Ann., 1953 as amended; and Utah Admin. Code R309-600.

(Ord. No. 1677, § I, 5-11-2010)

9.25.020 - Definitions.

- A. "Allowed uses" means a use, activity or practice allowed by this chapter which does not create a risk of pollution or contamination in the specified protection zone of such significance so as to require the implementation of regulatory requirements, best management practices or engineered controls.
- B. "Best management practices" means a practice or combination of practices determined by the division of drinking water to be an effective practicable means of conducting a land use activity to minimize the potential for becoming a pollution source.
- C. "Board of health" means the SLVHD Board of Health as created in Chapter 9.04 of the Salt Lake County Code of Ordinances.
- D. "Collection area" means the area surrounding a groundwater source which is underlain by collection pipes, tile, tunnels, infiltration boxes, or other groundwater collection devices.
- E. "Council" means the Salt Lake County Council.
- F. "Division of drinking water" means the Utah Department of Environmental Quality, Division of Drinking Water.
- G. "Groundwater source" means any well, spring, tunnel, adit or other underground opening from or through which ground water flows or is pumped from subsurface water bearing formations.
- H. "Land management strategy" means a written agreement, including but not limited to, a "land use agreement" as provided for in Utah Admin. Code R309-600-13(2)(d), wherein the landowner agrees to implement such land use restrictions, covenants, conditions or controls as may be required by a public water system to prevent the discharge of pollutants, contaminants or substances to groundwater. Such agreements must be recorded in the county recorder's office.
- I. "Pollution source" means point source discharges of contaminants to ground or surface water or 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, drain lines and animal feeding operations with more than ten animal units.

The following definitions are part of R309-600 and clarify the meaning of "pollution source:"

- (1) "Animal feeding operation" means a lot or facility where the following conditions are met: animals have been or will be stabled or confined and fed or maintained for a total of forty-five days or more in any twelve-month period, and crops, vegetation forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. Two or more animal feeding operations under common ownership are considered to be a single feeding operation if they adjoin each other, if they use a common area, or if they use a common system for the disposal of wastes.
 - (2) "Animal unit" means 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 pounds multiplied by 0.4, plus the number of sheep multiplied by 0.1, plus the number of horses multiplied by 2.0.
 - (3) "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 Reporting Under SARA Title III" (EPA 550-B-96-015).
- J. "Potential contamination source" means any facility or site which employs an activity or procedure which may potentially contaminate ground or surface water. A pollution source is also a potential contamination source.
- K. "Prohibited use" means a use, activity or practice which creates a substantial risk of pollution or contamination in the specified protection zone. A prohibited use is not permitted.
- L. "Public water system" means a system, either publicly or privately owned, providing water through constructed conveyances for human consumption and other domestic uses, which has at least fifteen service connections; or serves an average of at least twenty-five individuals daily at least sixty days out of the year and includes collection, treatment, storage or distribution facilities that have an approved drinking water source protection plan from the division of drinking water.
- M. "Restricted use" means a use associated with a "potential contamination source." A restricted use may be permitted only after review and recommendations are received from the affected public water system and the Salt Lake Valley Health Department.
- N. "SLVHD" means Salt Lake Valley Health Department.
- O. "Source protection zone" means the specified surface and subsurface area surrounding a groundwater source supplying a public water system, through which contaminants are reasonably likely to reach the groundwater source of drinking water.
- P. "Time of travel" "TOT" means the time required for a particle of water to move in the producing aquifer from a specific point to a ground water source of drinking water.

(Ord. No. 1677, § I, 5-11-2010)

9.25.030 - Application.

This chapter applies to the incorporated and unincorporated areas of Salt Lake County except that it does not apply in a municipality that has adopted an ordinance in compliance with §19-4-113, Utah Code Ann., 1953 as amended. In addition, any municipal ordinance adopted pursuant to § 10-8-15 shall supersede this chapter to the extent the ordinances conflict.

(Ord. No. 1677, § I, 5-11-2010)

9.25.040 - Establishment of drinking water source protection zones.

Source protection zones are hereby established regulating specified land uses and conditions in zones designated for the protection of groundwater sources of drinking water. The drinking water source protection zones are identified and described as follows:

- A. Protection zone one is the area within a one hundred-foot radius from the wellhead or margin of the collection area.
- B. Protection zone two is the area within a two hundred fifty-day groundwater TOT to the wellhead, or margin of the collection area, the boundary of the aquifer(s) which supplies water to the groundwater source, or the groundwater divide, whichever is closer as specified on the "drinking water source protection map" described in Section 9.25.060 herein.
- C. Protection zone three is the area within a three-year groundwater TOT to the wellhead, or margin of the collection area, the boundary of the aquifer(s) which supplies water to the groundwater source, or the groundwater divide, whichever is closer, as specified on the "drinking water source protection map" described in Section 9.25.060 herein.
- D. Protection zone four is the area within a fifteen-year groundwater TOT to the wellhead, the boundary of the aquifer(s) [recharge area] which supplies water to the groundwater source, or the groundwater divide, whichever is closer, as specified on the "drinking water source protection map" described in Section 9.25.060 herein.

(Ord. No. 1677, § I, 5-11-2010)

9.25.050 - Identification of public water systems and source protection plans.

Utah Administrative Code R309-600 requires public water systems to submit a drinking water source protection plan to the division of drinking water, for each of its groundwater sources of drinking water.

(Ord. No. 1677, § I, 5-11-2010)

9.25.060 - Drinking water source protection map.

- A. The planning and development services division shall incorporate the GIS data files received from the division of drinking water identifying groundwater sources and source protection zones based on the source protection plans submitted to the division of drinking water by public water systems, on a county map known as the "drinking water source protection map."
- B. The adoption and any amendments, additions or deletions to this map shall be made by the council on an annual basis.
- C. Before identifying specific protection zones on the drinking water source protection map, each public water system submitting a source protection plan to the division of drinking water shall be responsible for notifying landowners who may be affected by the plan. Challenges to the source protection zones shall be resolved by the public water system that provided the relevant source protection plan and, if necessary, the division of drinking water may assist with the resolution of any challenges to the source protection plans and delineated protection zones approved for the public water system.

(Ord. No. 1677, § I, 5-11-2010)

9.25.070 - Overlapping source protection zones.

- A. Public water systems with overlapping protection zones shall cooperate in resolving conflicts in the land management strategies contained in the applicable source protection plans. If necessary, the division of drinking water may assist with the resolution of any conflicts. In the event the challenge or conflict in overlapping protection zones cannot be resolved in one hundred eighty days, the most restrictive provision shall apply.
- B. No permits or land use approvals including, but not limited to, a subdivision approval, conditional or permitted use approval, business license or building permit shall be issued pending the resolution of any challenges to the boundaries or conflict between overlapping protection zones.

(Ord. No. 1677, § I, 5-11-2010)

9.25.080- Allowed uses.

Each use established before the effective date of this section and uses incidental and accessory to such use may be continued in the same manner thereafter, provided that such use is not in violation of any other ordinance, health regulation nor determined by a court of competent jurisdiction to be a nuisance under the provisions of federal, state and local laws or health regulations. All new land uses, change of uses, or expansion of uses shall comply with this section.

(Ord. No. 1677, § I, 5-11-2010)

9.25.090- Restricted and prohibited uses.

- A. The matrix attached as Appendix "A" adopted in this chapter, identifies specified land uses and conditions which have the potential to pollute or contaminate groundwater sources.
- B. These land uses have been classified according to the potential risk of pollution or contamination posed by specified land uses and conditions in each of the four designated source protection zones as a "restricted" or "prohibited" use.
- C. Any use deemed a potential contamination source by the public water system or a regulatory agency not listed on the matrix shall be reviewed by the source protection technical advisory committee as provided for in Section 9.25.130.

(Ord. No. 1677, § I, 5-11-2010)

9.25.100- Drinking water source protection requirements.

Following the effective date of this section, no building permit or other form of approval required to develop or use real property in Salt Lake County shall be issued by the planning and development services division until the SLVHD determines that the proposed development or use of real property complies with the requirements of this section.

(Ord. No. 1677, § I, 5-11-2010)

9.25.110- Review of applications.

- A. Restricted use - a restricted use poses some risk of causing pollution or potential contamination in a specified protection zone. Following preliminary staff review of an application, the planning and development services division will request a verification of compliance from the SLVHD and from the appropriate public water system. The applicant shall submit to the appropriate public water system the best management practices and engineered and/or construction controls, or land management strategy to be implemented. Upon acceptance and approval, the appropriate public water system

must issue a recommendation letter to the SLVHD listing the best management practices, engineered and/or construction controls, or land management strategy to be implemented as part of the recommendation. Any engineered and/or construction controls must be illustrated on the site plan or construction drawings. A public water system shall respond to an applicant's best management practices, engineered and/or construction controls, or land management strategy within forty-five days of submission. If a public water system does not approve of the best management practices, engineered and/or construction controls, or land management strategy submitted by an applicant, or cannot come to an agreement on the issue, the public water system will submit the reason that approval is not given and provide recommendations for additions or changes. The recommendation must also comply with this chapter and any applicable SLVHD health regulations. The SLVHD shall review all recommendations received and specify the conditions of any approval before forwarding the approval to the planning and development services division.

Challenges to the best management practices, engineered and/or construction controls, land management strategy or other conditions recommended by a public water system may be appealed as provided for in Section 9.25.130 herein. The division of drinking water may assist the SLVHD in the resolution of an appeal challenging the recommendations of a public water system. No permits or land use approvals including, but not limited to, a subdivision approval, conditional or permitted use approval, business license or building permit shall be issued until such appeal has been resolved.

Every applicant having received a land use approval in accordance with this title shall re-submit to the responsible public water system their best management practices whenever significant changes or modifications are made and once every three years. Failure to do so may result in revocation of the land use permit.

- B. Prohibited use - a prohibited use poses a very high risk of causing pollution or potential contamination in the specified source protection zone. An application received by the planning and development services division for any permits or land use approvals including, but not limited to, a subdivision approval, conditional or permitted use approval, business license or building permit in a zone designated as prohibited shall be denied. If a denial is based on a prohibited use designation listed on the matrix within a specified source protection zone, the applicant may:
- (1) work with the public water system in the specified source protection zone to implement an acceptable engineered and/or construction control or a land management strategy; or
 - (2) appeal the denial to the SLVHD. The division of drinking water may assist the SLVHD, public water system, and applicant in the resolution of any appeal challenging a prohibited use.

(Ord. No. 1677, § I, 5-11-2010)

9.25.120 - Administration.

The policies and procedures for the administration of any groundwater source protection zone established under this chapter shall be administered by the planning and development services division and the SLVHD as provided for in this chapter.

(Ord. No. 1677, § I, 5-11-2010)

9.25.130 - Appeals process.

An applicant challenging the use restrictions imposed in a specified source protection zone, the best management practices, engineered and/or construction controls, conditions, or the denial of an application based on this chapter, may appeal by filing a written notice of appeal with the SLVHD within thirty days following the action. The public water system in the specified source protection zone must be made a party to the appeal.

The board of health shall appoint a source protection technical advisory committee. The purpose of the committee shall be to hear appeals filed by an applicant and to make recommendations to the board of health. The committee shall consist of a member from the planning and development services division, a member from the environmental health division, a member from a public water system, a member from the division of drinking water, a member of the board of health, and a member from a municipality with extra-territorial jurisdiction. All appeals shall be governed by the adjudicative hearing procedures adopted by the board of health.

(Ord. No. 1677, § I, 5-11-2010)

9.25.140 - Enforcement.

A retail water supplier may seek enforcement of this chapter following the procedures provided for in § 19-4-113(3)(c), Utah Code Ann.

(Ord. No. 1677, § I, 5-11-2010)

9.25.150 - Effective date.

This chapter shall become effective fifteen days after its passage and upon at least one publication of the ordinance from which this chapter derives or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

(Ord. No. 1677, § I, 5-11-2010)

APPENDIX A

The following table identifies uses which have varying potentials to contaminate groundwater sources. These uses have been classified according to the risk of contamination in each protection zone as follows:

Restricted (R)

Prohibited Uses (X)

Allowed (A)

**Appendix A
Regulated Uses**

Potential Contamination Sources	Protection Zone		
	Zone 1	Zone 2	Zones 3 and 4
Agricultural pesticide, herbicide, and fertilizer storage, use, filling, and mixing areas	X	R	R
Agriculture experimental station	X	R	R

Airport maintenance and fueling sites	X	R	R
Animal byproduct plants; offal or dead animal reduction or dumping	X	X	R
Animal feeding operations with more than 10 animal units, including dairy, stockyard, etc	X	X	R
Animal hospital or clinic; veterinary office	X	R	A
Apiary (Bee yard)	X	R	A
Appliance repair (commercial)	X	R	A
Aviary	X	R	A
Baby diaper service	X	R	R
Beautysalons and barber shops	X	R	A
Beverage bottling facilities	X	R	R
Boat building and refinishing	X	R	R
Blacksmith shop	X	R	R
Blast furnace	X	R	R
Boilers	X	R	R
Bookbinding	X	R	A
Breweries	X	R	R
Campgrounds	X	R	A
Carpet, rug, and upholstery cleaning or dyeing	X	X	R
Car washes	X	R	A
Cemetery, mortuary, etc	X	R	R

Chemical reclamation facilities	X	X	R
Chemical storage or pipelines (Ref the hazardous materials and extremely hazardous material lists found in (40 CFR 261 and 355))	X	X	X
Chemigation wells	X	X	R
Coal and fuel yards	X	R	R
Coke ovens	X	R	R
Commercial and private recreation	X	R	R
Concrete, asphalt, and tar use, storage, or processing	X	R	R
Drying, freighting or trucking yard or terminal	X	R	R
Dry cleaners with chemicals on site	X	X	R
Dry cleaners without chemicals onsite	X	A	A
Embalming services	X	R	R
Equipment storage or rental yards	X	R	R
Fabrication, assembly and maintenance of business machines and/or electronic instruments, excluding processing and compounding of raw materials	X	R	R
Fabrication, assembly and treatment of articles of merchandise from previously prepared precious or semiprecious metals or stones	X	R	R
Farm dump sites	X	R	R
Farm maintenance garage	X	R	R
Fat rendering processes	X	X	R
Feed, cereal or flour mill	X	R	R
Fertilizer and soil conditioner manufacture, processing and/or sales	X	X	R

Firearms and/or archery range; Gun club	X	R	A
Food processing and meat packing facilities	X	R	R
Forest industry; production of forest products	X	R	R
Foundry	X	R	R
Fruit and vegetable storage and packing plant	R	R	R
Fuel, oil, and heating oil distribution and storage facilities	X	R	R
Fur farm	X	R	R
Furniture stripping, painting, and finishing business	X	R	R
Gasohol production for private use	X	R	R
Geothermal heat pumps, less than 30 feet deep	X	R	R
Geothermal heat pumps, more than 30 feet deep	X	X	X
Golf course	X	R	R
Grain storage elevator	X	R	R
Gravel pits; quarries; mines	X	R	R
Greenhouse or nursery	X	R	R
Hatchery	X	R	R
Home business	X	R	A
Hospitals and medical and dental clinics or offices	X	R	R
Hydroelectric dam	X	R	R
Impound lot	X	R	R

Improperly Abandoned wells	X	X	X
Incinerator	X	X	R
Industrial manufacturers of: chemicals, pesticides, herbicides, paper products, leather products, textiles, rubber, plastic, fiberglass, silicone glass, pharmaceuticals, and electrical equipment, etc.	X	R	R
Industrial waste disposal/ impoundment areas	X	X	R
Junk and salvage yards	X	R	R
Laboratory which may include scientific research, investigation, testing or experimentation including prototype product development or incidental pilot plants	X	R	R
Landfills and transfer stations	X	X	R
Laundromats	X	R	R
Logging and lumber processing, provided evidence is presented of approval by any federal or state agencies with jurisdiction over such use	X	R	R
Machine shops, metal plating, heat treating, smelting, annealing, and descaling facilities	X	R	R
Manufacturing: any use which involves the assembly, compounding, fabrication, maintenance, packaging, processing, refining, storage, or treatment, etc of any product or substance. (all uses listed in the M-1 or M-2 zones which involve manufacturing)	X	R	R
Manure spreading, processing, drying and sales	X	X	R
Manure piles > than 20 cu. ft.	X	X	R
Meat products smoking, curing and packing	X	R	R
Medical, optical and dental laboratories	X	R	A
Metal plating; metal anodizing; metal polishing	X	R	R

Metals crushing for salvage; metals and metal products treatment and processing	X	R	R
Mine; quarry; gravel pit; mining operations; including crushers, concrete batching plants, asphalt plant or any type of oil or asphalt emulsion mixing operation	X	R	R
Mineral extraction and processing	X	R	R
Monument works	X	R	R
Motor vehicles, trailers, bicycles and machinery assembling, painting, upholstering, rebuilding, repairing, rentals, sales and reconditioning	X	R	R
Motor Vehicles: any use which involves motor vehicles: storage, maintenance, sales, car wash etc. Including boats, trailers etc. (any motorized vehicles)	X	R	R
Municipal wastewater treatment plants	X	R	R
Oil and/or gas storage and pipelines (excluding natural gas and propane)	X	R	R
Oil or lubricating grease compounding	X	X	R
Ore beneficiation	X	R	R
Organic disposal site	X	X	R
Other potential contamination sources	R	R	R
Outdoor chemical toilet use, storage,	X	R	R
Packaging facility	X	R	R
Paint store or paint shop of any kind, sign, auto body, etc	X	R	R
Park	X	R	R
Parking lot drainage	R	A	A
Pest extermination and control business	X	R	R

Petroleum refining or storage	X	R	R
Pharmacy	X	R	A
Photo processing and print shops	X	R	R
Planning mill	X	R	R
Printing and copying processes, including lithographing, engraving and photoengraving, etc	X	R	R
Public stable; riding academy; rodeo grounds	X	R	R
Publishing shop	X	R	R
Radiological materials mining, use , storage, or processing	X	R	R
Railroad yards, shop and/or roundhouse	X	X	R
Recreational grounds	X	R	A
Recreational vehicles campers, snowmobiles, etc.) use, storage	X	R	R
Recycling collection center	X	R	R
Residential pesticide, herbicide, and fertilizer storage, use, filling, and mixing areas	X	R	R
Rock crushing;	X	R	R
RV waste disposal stations	X	X	A
Salt and/or sand piles	X	R	R
Sand and gravel excavation and processing	X	R	A
Sandblasting	X	R	R
Sanitary landfill	X	X	R

Septic system (gray water) and black water holding tank	X	X	R
"Septic system, conventional" shall mean an underground wastewater disposal system for domestic wastewater. It consists of a building sewer, a septic tank and an absorption system.	X	X	R
Slaughterhouse; stockyard	X	X	X
Smelting or refining	X	R	R
Soil composting manufacture and sales	X	R	R
Solar evaporation pond for the processing of salt	X	R	R
Sportsman's kennel	X	R	R
Steel or iron mill	X	R	R
Storm water detention basin and snow storage sites	X	R	A
Swimming pool	X	R	R
Taxidermist	X	R	R
Tire store, or processing of any kind including re-treading, vulcanizing, etc	X	R	R
Underground record storage vaults	R	R	A
Underground storage tanks	X	R	R
Upholstering, including mattress manufacturing, rebuilding and renovating	X	R	R
Warehouse	X	R	R
Water treatment plant, pump station, or reservoir	X	R	R
Welding facilities	X	R	R
Wood preservative use, storage, or disposal	X	R	R

Worm farming	X	R	R
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(Ord. No. 1677, § I, 5-11-2010)

Chapter 9.26 - FLUORIDATION OF PUBLIC WATER SUPPLIES IN SALT LAKE COUNTY

Sections:

9.26.010 - Codification.

The ordinance codified in this chapter shall be known as the Fluoridation of Public Water Supplies in Salt Lake County.

(Ord. 1476 § 2, 2001)

9.26.020 - Statutory authority.

The authority for fluoridating the public water supplies of Salt Lake County is Title 19, Chapter 4, Section 111, Utah Code Annotated 1953.

(Ord. 1476 § 3, 2001)

9.26.030 - Provisions.

The ordinance codified in this chapter is enacted to require the fluoridation of the public water supplies of Salt Lake County. The Salt Lake Valley health department is authorized and directed to draft, adopt and implement all rules and regulations to govern the fluoridation of the public water supplies within the county. The Salt Lake Valley health department shall coordinate its fluoridation efforts and the funding for fluoridation with the various public water suppliers within the county. The fluoridation of the public water supplies within Salt Lake County shall be accomplished and completed within a reasonable time period to be established by the Salt Lake Valley health department in its rules and regulations governing the fluoridation.

(Ord. 1476 § 4, 2001)

Chapter 9.28 - INDIVIDUAL WATER SYSTEMS

Sections:

9.28.010 - Regulations adopted by reference—Copies on file.

The provisions of the health department, Health Regulation No. 11, entitled "Individual Water Systems," as currently adopted by the board of health under Section 26-24-20, Utah Code Annotated (1953), as amended, are hereby incorporated in their entirety by reference. Three copies of the current regulations shall be filed with and retained by the county clerk and with the health department for examination by any person.

(Ord. 1473 (part), 2001: 1986 Recodification)

9.28.020- Violation of regulations.

Violation of any provision of any health regulation incorporated in this chapter shall constitute a Class B misdemeanor as defined by the Utah State Code. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such. (1986 Recodification)

Chapter 9.32 - WASTEWATER DISPOSAL SYSTEMS

Sections:

9.32.010- Regulations adopted by reference—Copies on file.

The provisions of the health department, Health Regulation No. 13, entitled "Wastewater Disposal Systems," as currently adopted by the board of health under authority of Section 26-24-20, Utah Code Annotated (1953), as amended, are hereby incorporated in their entirety by reference. Three copies of the current regulations shall be filed with and retained by the county clerk and with the health department for examination by any person.

(Ord. 1473 (part), 2001: 1986 Recodification)

9.32.020- Violation of regulations.

Violation of any provision of any health regulation incorporated into this chapter shall constitute a Class B misdemeanor as defined by the Utah State Code. Each day a violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such. (1986 Recodification)

Chapter 9.36 - PUBLIC SWIMMING POOLS

Sections:

9.36.010- Regulations adopted by reference—Copies on file.

The provisions of the health department, Health Regulation No. 2, entitled "Design, Construction, and Operation of Public Swimming Pools," as currently adopted by the board of health under authority of Section 26-24-20, Utah Code Annotated (1953), as amended, are hereby incorporated in their entirety by reference. Three copies of the current regulations shall be filed with and retained by the county clerk and with the health department for examination by any person.

(Ord. 1473 (part), 2001: 1986 Recodification)

9.36.020- Violation of regulations.

Violation of any provision of any health regulation incorporated into this chapter shall constitute a Class B misdemeanor as defined by the Utah State Code. Each day a violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such.

(1986 Recodification)

Chapter 9.40 - SEWERS

Sections:

9.40.010- Connection to public sewer required.

Connection with the public sewer must not be made, unless proper vents and traps are installed and approved by the inspector.

(Prior code § 9-5-6)

9.40.020- Connection rates—Schedule—Extra services.

Sewer connections shall be sold at the rate of one hundred fifty dollars per connection, and shall entitle the purchaser to one connection; provided, however, that in the event ten or more residences have been constructed within an approved and recorded subdivision in which the sewer line runs down the street and connections are to be made from both sides, and application having been made for the connections for the ten or more residences, then sewer connections shall be sold at the rate of one hundred dollars per connection for each of the residences. In addition to the above rates, the following charges shall be added for extra services:

- A. Any business occupying a fifty-foot frontage or less, which is occupied by more than one business, will pay, in addition, the sum of twenty-five dollars for each additional business or apartment and five dollars for each room used for living or housekeeping purposes.
- B. Any business building having more than a fifty-foot frontage shall be required to have one connection for each fifty feet or fractional part thereof.
- C. In any case where two private homes are located on a lot with a fifty-foot frontage or less, both of the properties may be serviced by one connection, provided that an additional twenty-five dollars is paid for the second connection.
- D. Any duplex or home where the building is so arranged that two or more families have distinct residential quarters may connect onto one connection, provided they pay an additional twenty-five dollars for each apartment or living quarters.
- E. Any home that is used jointly as a living quarters and a place of business or office shall pay the regular connection fee price plus twenty-five dollars for each distinct business contained in such premises.
- F. Every business house requiring a fountain, the cooking of foods, bars, water-cooled refrigeration, or such other type of business as shall require an excess of sewer service, shall pay an additional twenty-five dollars, provided that the extra charge shall not be duplicated where two or more of the enumerated conditions exist.
- G. Every garage and service station having a wash rack shall pay, in addition to the regular connection fee, the sum of thirty-five dollars for each such wash rack.
- H. The foregoing rates shall not automatically entitle more than one house or business on one connection, unless the arrangement is first approved and authorized by the inspector.

(Prior code § 9-5-18)

9.40.030- Connection rates—Stock certificates accepted when.

Any group joining together, either individually or as a corporation, for the purpose of contracting a sewer system in the county and which pays for the contracting of the system from its own funds shall, upon the sewer system's being subsequently taken over and operated by the county, be entitled, as individuals, to a connection without payment of the rates provided for in Section 9.40.020, after the presentation of satisfactory evidence to the treasurer that the applicant has paid his proportionate share of the costs of such undertaking, and upon the surrender of the stock or certificate evidencing his interest

in the sewer system. No such sewer construction shall be made, however, without the written consent of the mayor.

(Ord. 1473 (part), 2001: Prior code § 9-5-20)

9.40.040 - Connections — Receipt for fee payment required.

- A. No permits to connect onto the sewer system shall be issued by the inspector or by any other person unless a receipt is furnished for the connection and for such additional expenditures as are provided for in this chapter. The county treasurer shall issue receipts in duplicate to purchasers, one copy of which shall be left with the inspector after his issuance of a connection permit. The treasurer shall make an annual report to the commission of moneys received each calendar year from connection fees, and the auditor shall furnish an annual statement of all specific expenditures incurred in the maintenance and operation of the sewer system or systems.
- B. Both the treasurer's and the auditor's annual reports shall be itemized for each distinct sewer system for the county.

(Prior code § 9-5-17)

9.40.050 - Building connections and junction pipes.

Unless otherwise directed in the permit, all private sewers or house drains must be connected with junction pipes, slat, or "Y"s laid out in the sewer during construction. The connection point with the sewer must be first located, before opening the trench for the rest of the work. All trenches must be of sufficient width and opened in such manner as to admit an easy inspection, and all connections with the public sewer must be made under the supervision of the inspector. In all cases where there is no junction piece, slat or "Y" in the sewer at the point where such connection is to be made, the opening of the sewer and the making of such a connection must be in strict accordance with the permit, and direction of the superintendent, and under his supervision.

(Prior code § 9-5-5)

9.40.060 - Laterals to private property.

Unless otherwise permitted in writing by the inspector, no laterals to private property may be run in any manner other than in a straight line from the point of origin in the building to the sewer main.

(Prior code § 9-5-8)

9.40.070 - Cleanouts required.

Every connection to the sewer system must include a cleanout pipe, to be placed on the property owner's line at a point to be determined by the inspector.

(Prior code § 9-5-7)

9.40.080 - Inspection of connections.

An inspector who is a licensed plumber shall be appointed by the mayor to inspect all sewer connections made or to be made along any public or private sewer system.

(Ord. 1473 (part), 2001: Prior code § 9-5-1)

9.40.090 - Extension costs.

Whenever any individual, corporation or company shall request the extension and construction of any sewer system beyond the main sewer lines then installed, and the cost of the extension is to be paid for by the county, such request to the county must be accompanied by a bond guaranteeing the improvements, i.e., residences, etc. The amount of the bond shall be set by the mayor. The improvements to be so guaranteed must be not less than one connection for each fifty feet or portion of fifty feet on the extended main sewer line. The construction and costs of the connections from the main sewer line shall be the responsibility of the applicants for the sewer connections.

(Ord. 1473 (part), 2001: Prior code § 9-5-21)

9.40.100 - Maintenance costs.

All moneys collected and paid to the county treasurer under the provisions of this chapter shall be placed in the general fund. The expense of maintenance and operation shall be paid by the county out of the general fund, and no special levy or taxes shall be imposed upon the property owners joining such sewer systems for maintenance or operation.

(Prior code § 9-5-19)

9.40.110 - Opening manhole covers—Restrictions.

It is unlawful for any person to open any sewer manhole without permission from the inspector.

(Prior code § 9-5-3)

9.40.120 - Discharging surface water into sewers.

It is unlawful for any person to connect with the public sewer or with any drain that discharges rainwater or surface water, or the contents of any spring, creek, ditch or other watercourse, without a special permit.

(Prior code § 9-5-4)

9.40.130 - Obstruction of sewers—Prohibited discharges.

It is unlawful for any person to empty or discharge into the public sewers any solids, garbage, or other similar matter, or any matter or thing likely to obstruct the sewer.

(Prior code § 9-5-2)

Chapter 9.44 - OPEN WELLS, CESSPOOLS AND PRIVY VAULTS

Sections:

9.44.010 - Wells, cesspools and other dangerous openings prohibited.

It is unlawful for any person to maintain, permit or suffer to exist any uncovered or open well, cesspool, privy vault or other dangerous or opened crevice upon property within the county.

(Prior code § 16-6-1)

9.44.020 - Filling of dangerous openings—Responsibility.

Every owner, occupant or tenant of property within the county upon which uncovered or open wells, cesspools, privy vaults or other dangerous or potentially dangerous openings have been maintained or have existed shall immediately fill in or cover the same securely.

(Prior code § 16-6-2)

9.44.030 - County to perform work when.

Any owner, occupant or tenant of property within the county found in violation of Section 9.44.010 who fails to comply with the provisions of this chapter shall be subject to the direct supervision of the mayor, which shall, by and through its agents, have the right to enter upon such land, and fill in or securely cover any uncovered or open well, cesspool, privy vault or other dangerous or open crevice.

(Ord. 1473 (part), 2001: Prior code § 16-6-3)

9.44.040 - Costs for county's performance of work.

In the event the county must fill or securely cover any uncovered or open well, cesspool, privy vault or other opening, as provided in this chapter, an action shall lie on the county's behalf against any violator of this chapter for the costs so incurred. The county attorney shall, at the request of the mayor, proceed against any violator in a civil action to recover the same.

(Ord. 1473 (part), 2001: Prior code § 16-6-4)

Chapter 9.48 - NOISE CONTROL

Sections:

9.48.010 - Regulations adopted by reference—Copies on file.

The provisions of the health department, Health Regulation No. 21, entitled "Noise Control," as currently adopted by the city-county board of health under authority of Section 26-24-20, Utah Code Annotated (1953), as amended, are hereby incorporated in their entirety by reference. Three copies of the current regulations shall be filed with and retained by the county clerk and with the health department for examination by any person.

(Ord. 1473 (part), 2001: 1986 Recodification)

9.48.020 - Interpretation of regulations.

In interpreting and applying the provisions of this chapter, the requirements contained herein are declared to be the minimum required for the purposes set forth. Notwithstanding the foregoing, whenever the provisions of this chapter conflict with any other ordinances pertaining to the same subject, the more restrictive provisions shall prevail.

(Ord. 943 § 1, 1985; prior code § 16-15D-14)

9.48.030 - Violation of regulations.

Violation of any health regulation incorporated into this chapter shall constitute a Class B misdemeanor, as defined by the Utah State Code. Each day such violation is committed or permitted to continue shall constitute a separate offense, and shall be punishable as such.

(1986 Recodification)

Chapter 9.50 - INSTITUTIONAL CONTROLS

9.50.010 - Purpose and intent.

Response actions have been taken or overseen on various properties in the county by EPA and DEQ under the authority of CERCLA, HSMA or the VCP. The response actions implemented at CERCLA, HSMA or VCP sites may include institutional controls necessary to limit human exposure to contaminants left on site. These documented response actions may contain institutional controls describing specific levels for the contaminants left on site and measures such as conditional building permits, subdivision regulations, excavation permits, restrictions on soil disturbance and land use restrictions necessary to protect the integrity of the response action. Specific levels may vary depending on the site and use of the property.

The purpose of these requirements is to promote public health, safety, and the general welfare of county residents consistent with the goals of reducing the risk of exposure to contaminants and returning contaminated properties to a productive use consistent with the current and future land uses, surrounding neighborhoods and the environment, while minimizing exposure risks by:

- A. Limiting or prohibiting the exposure of people and the environment to surface and subsurface contaminants;
- B. Preventing or limiting activities in areas of surface or subsurface contamination; and
- C. Protecting a response action that has been taken at the site.

(Ord. No. 1750, § I, 6-18-2013)

9.50.020 - Definitions.

- A. "Applicant" means a person who has applied for a grading, excavation, building or other permit involving soil disturbance or excavation.
- B. "CERCLA" means the Comprehensive Environmental Response Compensation and Liability Act, 42 U.S.C. 9601.
- C. "Contaminants" or "contamination" shall include, but not be limited to, any element, substance, compound or mixture, including disease causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in such organisms or their offspring; except that the term contaminant shall not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance and shall not include natural gas, liquefied natural gas, or synthetic gas or pipeline quality.
- D. "Council" means the Salt Lake County Council.

- E. "Decision document" means a CERCLA, HSMA, or VCP determination that leaves contamination on the site at levels that allow for some but not all uses or that include an engineered feature, structure, or otherwise requires monitoring, maintenance or operation, e.g. EPA Record of Decision, EPA Action Memo, EPA Administrative Order on consent, EPA Unilateral Administrative Orders, EPA Consent Decrees, EPA Operation and Maintenance Plans, EPA Removal Action Report, DEQ Voluntary Cleanup Agreements, DEQ Site Management Plans, DEQ Certificates of Completion, or any other document that establishes levels.
- F. "DEQ" means the Utah Department of Environmental Quality.
- G. "Development" means any man-made change to improved or unimproved real property, including but not limited to buildings or other structures, excavating, filling, grading, or paving.
- H. "EPA" means the United States Environmental Protection Agency.
- I. "Health Department" means the Salt Lake County Health Department.
- J. "HSMA" means the Hazardous Substances Mitigation Act contained in §§ 19-6-301, et seq., Utah Code Ann.
- K. "Institutional control" means non-engineered measures, including restrictive covenants, land use requirements and restrictions contained in this chapter to limit the movement of or exposure to contaminants left on site and documented in a response action implemented at a specific CERCLA, HSMA or VCP site by EPA and/or DEQ.
- L. "Level" means the level of contamination that may remain on site consistent with the applicable decision document.
- M. "Person" means an individual, corporation, LLC or other legal entity.
- N. "Planning and development services division" means the Salt Lake County Public Works Department, Planning and Development Services Division and equivalent divisions at each city within Salt Lake County.
- O. "Response action" means response action as defined in CERCLA, a response action as defined in the VCP and a cleanup action, investigation or remedial action as defined in HSMA.
- P. "Soil disturbance" means the excavation of soils for construction, landscaping, or other reasons.
- Q. "VCP" means the Voluntary Cleanup Program established by Title 19, Chapter 8 of the Utah Code.

(Ord. No. 1750, § I, 6-18-2013)

9.50.030 - Application.

This chapter applies to all real property in the incorporated and unincorporated areas of Salt Lake County located within a contamination area designated on the contamination areas map on file with the planning and development services division. These areas will be reviewed periodically as decision documents are developed, updated and/or as land use changes. Any municipal ordinance implementing site specific institutional controls shall supersede this chapter.

(Ord. No. 1750, § I, 6-18-2013)

9.50.040 - Contamination areas map.

- A. The planning and development services division shall incorporate GIS data files received from EPA, DEQ and local regulatory agencies identifying areas known to contain contaminants identified in decision documents.

- B. The contamination areas map shall also include properties within the boundaries of any incorporated area subject to institutional controls established in a municipal ordinance.
- C. The adoption of and any amendments, additions or deletions to the contamination areas map shall be made by the council.

(Ord. No. 1750, § I, 6-18-2013)

9.50.050 - Allowed uses.

Each use established before the effective date of this chapter and uses incidental and accessory to such use may be continued in the same manner thereafter, provided that such use is neither in violation of any other ordinance or health regulation nor determined by a court of competent jurisdiction to be a nuisance under the provisions of federal, state and local laws or health regulations. All new land uses, changes of use, or expansions of use shall comply with this chapter

(Ord. No. 1750, § I, 6-18-2013)

9.50.060 - Review of permit applications.

If a permit for development or soil disturbance is requested with respect to a property that is located in a contamination area and designated on the contamination areas map, the planning and development services division, following a preliminary review, shall request additional review by the health department. The health department shall review the application for compliance with applicable decision document requirements and will consult with other federal, state or local regulatory agencies if additional technical assistance is required. The health department will respond to planning and development services division and indicate that the application may be approved, disapproved or placed on hold pending additional action in accordance with the applicable decision documents.

On submittal of a permit application for development or soil disturbance to planning and development services, the following procedures and actions may take place:

- A. Review of the application by planning and development services.
- B. Issuance of requested permit or further review by the health department.
- C. Health department review and:
 - 1. Approval given for permit issuance; or
 - 2. Referral to DEQ for further review.
- D. DEQ review and:
 - 1. Approval given for permit issuance relayed to the health department and planning and development services; or
 - 2. Additional requirements outlined by DEQ to be met after permit is issued.
- E. Planning and development services permit issued to applicant.
- F. Inspection of completed additional DEQ requirements by DEQ and the health department; and
 - 1. Letter of completion; or
 - 2. Additional work required for letter of completion.
- G. Final inspection and letter of completion.

Work for which an approved permit is obtained must begin within one year of approval. If work does not begin within this time frame, the applicant must reapply with the planning and development services division.

(Ord. No. 1750, § I, 6-18-2013)

9.50.070 - Administration.

The policies and procedures for the administration of the process established under this chapter shall be administered by the planning and development services division and the health department as provided for in this chapter.

(Ord. No. 1750, § I, 6-18-2013)

9.50.080 - Effective date.

This chapter shall become effective fifteen days after its passage and upon at least one publication of the ordinance from which this chapter derives or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

(Ord. No. 1750, § I, 6-18-2013)

9.50.090 - Fees.

Health department fees associated with this chapter will be approved by the board of health and recorded in the health department's fee schedule, and are separate from any other fees that may be assessed by other county, state, or city agencies.

(Ord. No. 1750, § I, 6-18-2013)

Chapter 9.52 - GARBAGE COLLECTION AND DISPOSAL

Sections:

9.52.010 - Definitions.

For the purposes of this chapter, the following terms, phrases and words shall have the meanings given in this section:

"Apartment house" means a building comprising four or more dwelling units designed for separate housekeeping tenements.

"Cinders" means the residue of materials burned in boilers, furnaces and heating plants of public buildings, places of business, apartment houses, hotels and manufacturing plants.

"Community waste" means lawn cuttings, clippings from bushes and shrubs, leaves, sweepings from yards, tin cans, boiler ashes, newspapers, magazines, cardboard cartons and stove ashes, but not building materials.

"Garbage" means swill and all animal, vegetable and food refuse from kitchens of residences, hotels, cafes, restaurants and places where food is prepared for human consumption.

"Market waste" means condemned or decayed or unsound vegetables, meat, fish and fruit, and all waste and offal thereof from markets, stores and factories, and all vegetable waste from such markets, stores and factories.

"Night soil" means the contents from privy vaults, cesspools, septic tanks, grease tanks and water closets.

"Place of business" means any place in the county in which there is conducted or carried on principally or exclusively any pursuit or occupation by any person or persons for the purpose of gaining a livelihood.

"Public buildings and places" means office buildings, theaters, garages, auto camps, hotels, clubs, churches, schools, hospitals or other places of similar character.

"Refuse" means:

1. Combustible trash, including but not limited to paper, newspapers, cartons, boxes, barrels, wood, excelsior, tree branches, yard trimmings, wood furniture, bedding;
2. Noncombustible trash, including but not limited to metal, tin cans, metal furniture, dirt, small quantities of rock and pieces of concrete, glass, crockery, other mineral wastes;
3. Street rubbish, including but not limited to street sweepings, dirt, leaves, catch basin dirt, and contents of litter receptacles.

"Refuse" shall not, however, include earth and wastes from building operations, nor shall it include solid wastes resulting from industrial processes and manufacturing operations such as food-processing wastes, boiler-house cinders, lumber, scraps and shavings.

"Residences" means buildings or dwellings comprising not more than three dwelling units designed for separate housekeeping tenements, and where no business of any kind is conducted except such home occupations as are defined in the zoning ordinances of the county. Condominiums shall be deemed residences for the purposes of this chapter.

"Stove ashes" means the residue of material burned in stoves and furnaces in private residences, but not the residue from furnaces in apartment houses, hotels, business houses, heating or manufacturing plants.

"Trade waste" means all discarded wooden boxes, barrels, broken lumber, cardboard boxes, cartons, waste paper, leather, rubber, excelsior, cuttings, sweepings, rags and other inflammable waste materials, and all discarded trade or manufacturing refuse from stores, factories or other places of business which are not included within the definition of garbage, stove ashes and market waste.

"Waste disposal contractor" means a person or persons engaged in the business of collecting, hauling or transporting through the streets of the county any garbage, community waste, dishes, cinders, trade waste, market waste, night soil, manure, dead animals, bones, or any noisome or offensive material or matter for disposal or for any other purpose.

(Prior code § 8-1-1)

9.52.020 - Board of health powers and duties.

All waste disposal shall be subject to the discretion and control of the board of health. It shall be the particular duty of the board of health to make rules and regulations and to enforce the provisions of this chapter in reference to garbage, scavenger and waste disposal work.

(Prior code § 8-2-1)

9.52.030 - Complaint investigation—Public nuisances.

It shall be the duty of the board of health, or other appointed official, to answer and investigate all complaints and, when necessary in its judgment, to declare the unsanitary condition a public nuisance.

(Prior code § 8-2-2)

9.52.040 - Containers—Condemnation and replacement.

It shall be the duty of the board of health, or other appointed officials, to declare worn-out, rusted or filthy containers, as described in this code, public nuisances; and it is unlawful for any person, group of persons or commercial establishment to continue to use such containers. It shall be the duty of such persons or commercial establishment to clean or replace said containers with adequate containers, as described in this code.

(Prior code § 8-2-5)

9.52.050 - Dumping—Consent and disposal requirements.

It is unlawful for any person, association, corporation, fraternity or religious order, or any group or single person, whether a legal entity or not, to dump, put, place or abandon any cinders, common waste, garbage, market waste, trade waste, organic material, refuse, stove ashes, building materials, machinery, equipment, automobiles, furniture, junk or waste of any nature, or to dump, put, place or deposit upon any private property any of the above items without the consent of the owner; and even though the consent is obtained, if the materials placed upon the property have a tendency to become obnoxious, a nuisance or a danger to the health, welfare, peace or safety, or which annoy the repose of any party, that said property shall be immediately, as soon as physically feasible under the circumstances, covered or conditioned in such a manner as to remove the objectionable features of the materials deposited.

(Prior code § 8-2A-1)

9.52.060 - Dumping—Interpretation of language.

In determining the meaning of any terms used in this section and Section 9.52.050, reference shall be made to Section 9.52.010 for the definitions of such words insofar as they are defined, and they shall have the meaning as set forth in Section 9.52.010. Any other words used, unless having a special connotation, will be construed in the usual and ordinary sense, in accordance with the normal parlance insofar as possible.

(Prior code § 8-2A-2)

9.52.070 - Garbage hauling—License requirements and restrictions.

It shall be lawful for any person to possess, haul and dispose of his own materials, as defined in Section 9.52.010 of this chapter, and for any city, town or municipality within its own borders to haul or convey any of the materials above-mentioned; provided, that any person hauling such material shall not dump the same anyplace except on his own property or upon the Salt Lake City or county landfill, or upon a landfill belonging to the particular municipality which has been approved by the board of health and is operated in conformity therewith; but it shall be unlawful for any person not duly licensed to possess, haul, convey or transmit any of the above-mentioned materials, other than his own, and it is unlawful for any city, town or municipality to dispose of any of the materials as aforesaid, outside of the particular city, town or municipality, without first obtaining a license to do so from the county. Any city, town or municipality shall dispose of such material only in places approved by the board of health in a manner which is also approved by the board of health.

(Ord. 1473 (part), 2001: Prior code § 8-3-1)

9.52.080 - Garbage hauling—Covering of vehicles.

It is unlawful for any person to haul, convey or transport through or upon any of the public streets, any garbage, ashes, market wastes, trade wastes, manure, night soil, loose paper, scrap lumber, excelsior, tree limbs, bush clippings, lawn clippings, house refuse, yard refuse, liquid wastes, or any other refuse materials, in open trucks, open trailers or other open conveyances, unless covered completely with a heavy-duty canvas or other heavy acceptable material at all times when the vehicle is being used for the collection of, or carrying, transporting or hauling of garbage, manure, market waste, night soil, dead animals or other refuse, and is to be driven for a distance of five blocks or more without making a stop.

(Prior code § 8-3-4)

9.52.090 - Garbage hauling—Spilling on streets or premises prohibited.

- A. It is unlawful for any person, firm, private or public corporation engaged in the collection and transportation of garbage, trade waste, rubbish or other matter of any kind, to permit, allow or cause any of such matter to fall and remain on any property, place, building, premises, street, road or highway.
- B. It shall be the duty of any person, firm or corporation engaged in the collection of garbage, market waste, trade waste, rubbish or matter of any kind to see and insure that all such matter is procured and disposed of by himself, his agents or employees in a manner which shall not be offensive or filthy in relation to any person, place, building, premises, street, road or highway.

(Prior code § 8-3-5)

9.52.100 - Garbage hauling—Damaging containers or littering prohibited.

It is unlawful for any person, firm or corporation to:

- A. Wilfully or negligently break, deface or injure any receptacle used to contain garbage or other refuse, or to do or permit to be done in connection with such receptacles anything which shall be damaging to the property of another;
- B. Litter or cause to be littered any property, place, building, premises, street, road or highway with the contents of such receptacles in a manner which shall be offensive or filthy in relation to any person, place, building, premises, street, road or highway.

(Prior code § 8-3-6)

9.52.110 - Garbage hauling—Dumping area limitations.

It is unlawful for any city, town or municipality, or any person, to dispose of any materials mentioned in this chapter at any place except in the Salt Lake City-County Landfill, or in a sanitary landfill which has previously been approved by the board of health and which operates daily by covering over all the materials received each day.

(Prior code § 8-3-7)

9.52.120 - Waste disposal—Permission for feed, fill, burning and other acts.

- A. It is unlawful for any person, city, town or municipality to deposit or cause or permit to be deposited any garbage, market waste, stove ashes, trade waste, or any other refuse, in or upon any street or alley, or upon any premises in the county, without express permission from the board of health.

- B. The board of health, with the approval and consent of the mayor, may give permission for the feeding of garbage upon premises properly equipped and maintained so as to prevent the emanation of noxious or offensive odors or stenches or the creation of a nuisance, or for the depositing of ashes and other dry material for filling purposes, or for the burning of paper and other dry waste at such places as the board of health may designate and under such restrictions as the commission may impose, or for the sorting, baling and marketing of trade waste upon premises properly equipped and maintained so as not to cause the emanation of noxious or offensive odors or stenches.

(Ord. 1473 (part), 2001: Prior code § 8-4-1)

9.52.130 - Waste disposal— Rules and regulations.

It is unlawful for any person to make collections of or to haul or transport garbage, market waste or trade waste in or from any part of the business district of the county, except as provided by the rules and regulations of the board of health, and/or Salt Lake County Special Service District No. 1.

(Prior code § 8-4-21)

9.52.140 - Private scavengers and waste haulers— Bond requirements.

- A. Private scavengers, waste haulers and other businesses using county dumping facilities shall, in addition to obtaining any licenses required by law or ordinance, post with the county bond office a cash bond, escrow bond, or a surety bond with a corporate surety company authorized to do business in the state, in an amount based upon the following formula:
1. Users with a history of use of such dumping facilities shall post a bond in an amount equal to the greater of one thousand dollars or three times the average monthly charge such user has incurred during his use of the dumping facilities. The average shall be determined by reference to charges incurred by the user during the three months of use most recent to the establishment of the amount of the bond.
 2. Potential users without a history of use of the dumping facilities shall submit information to the county director of sanitation which will identify the probable use of the dumping facilities by the potential user. The bond amount shall then be set at the greater of one thousand dollars or three times the average monthly charge the potential user shall incur as that charge shall appear from the information submitted as required above.
- B. The bond required under this section shall be filed as a precondition to the use of any county-owned dumping facilities by persons or businesses who desire to pay dumping fees on any other basis than cash paid at the time of use. Such bond shall be held to guarantee the payment of any charges incurred for use of county dumping facilities, and shall be released only when use of the county dumping facilities has ceased and all accounts have been cleared.
- C. The amount of the bond required hereunder may be modified whenever it appears that the average charges incurred by users have varied by more than three hundred dollars per month from the average established by the formula set out above.
- D. No user of county dumping facilities shall be permitted to incur charges for use of county-owned dumping facilities which exceed the amount of the bond required under this section.

(Prior code § 8-4-19(4))

9.52.150 - Waste disposal— Receptacles to be provided.

It shall be the duty of every owner, lessee or occupant of any building, premises or place of business to provide, at such places as the board of health may direct, suitable and sufficient receptacles, as

approved by the board of health and by Salt Lake County Special Service District No. 1, for receiving and holding garbage, trade waste and other refuse that may accumulate from such building, place of business or upon such premises, or the portion thereof under the control of such person.

(Prior code § 8-4-5)

9.52.160 - Receptacle location restrictions.

It is unlawful for any person, group of persons or commercial establishment to place receptacles for the storage of garbage, market waste, trade waste or other refuse within twenty feet of any occupied dwelling, or to place such containers in such a locality or position that they shall be filthy, unsightly or offensive to any person inhabiting premises contiguous to such storage facility. Such conditions shall be deemed to constitute a public nuisance.

(Prior code § 8-4-3)

9.52.170 - Waste disposal— Notice and compliance.

It is unlawful for any person to refuse to remove all garbage, manure, night soil, ashes, dead animals and other refuse and offal to a place designated by the board of health within a reasonable time after notice is given by the board of health to do so.

(Prior code § 8-4-4)

9.52.180 - Waste disposal— Dumping restrictions.

It is unlawful to dump or dispose of any refuse or garbage of any description anywhere in the county except in a lawfully established garbage or refuse dump, as defined in Section 9.52.110 of this chapter. Such material not so properly disposed of shall be placed in containers for collection by Salt Lake County Special Service District No. 1.

(Prior code § 8-4-6)

9.52.190 - Accumulation of wastes prohibited.

- A. All garbage, ashes, market waste, trade waste, manure, night soil and other refuse not collected and hauled away by the Salt Lake County Special Service District No. 1 in its regular garbage and refuse collections must be regularly hauled away and disposed of by the licensed collectors at the expense of the owners or occupants of the premises wherein such waste materials are produced.
- B. It is unlawful for any person to allow garbage, ashes, market waste, trade waste, manure, night soil or other refuse to accumulate upon premises under his control, or to fail to remove same within twenty-four hours after notification from the board of health to do so.
- C. It is unlawful for any person to cause or permit junk, scrap metal, scrap lumber, waste paper products, discarded building materials, or any unused, abandoned vehicle, vehicles or abandoned parts, machinery or machinery parts, or any appliances or appliance parts, or other waste materials, to be in or upon any yard, garden, lawn, outbuilding or premises in the county, unless in connection with a business enterprise lawfully situated and licensed for the same.
- D. It is unlawful for any person to store or leave outside, any unattended or discarded icebox, refrigerator or other container without first removing therefrom any door attached thereto.

(Prior code § 8-4-20)

9.52.200 - Waste disposal—Vehicle dumping rules.

Waste disposal contractors shall be permitted to dump the contents of their collecting vehicles only in such places as are designated by the county engineer and the board of health, and all dumping by such contractors shall be subject to such rules and regulations as may be formulated by the board of health regulating such dumping.

(Prior code § 8-4-19(1))

9.52.210 - Waste disposal—Fees—Payment required when.

It is unlawful for waste disposal contractors, construction companies, tree service companies, or any person who collects any type of refuse, garbage or other material for a fee, to deposit or leave at any dumping ground or landfill maintained by the county any garbage, night soil, market waste, trade waste or other refuse of any kind without the payment of a fee therefor as provided in this chapter.

(Prior code § 8-4-19(2))

9.52.220 - Waste disposal—Fees—Schedule.

- A. Fees for dumping at facilities owned and/or operated in whole or in part by the county shall be set from time to time by the Salt Lake Valley Solid Waste Management Council, an agency established pursuant to Resolution 595A, January 10, 1979, and Resolution 748, August 25, 1980; and such fees shall become effective upon ratification by the county council of the Council's action.
- B. All fees for dumping shall be paid each time the user uses the dumping facilities; provided, however, that users who have posted a bond pursuant to Section 9.52.140 of this chapter may pay monthly.

(Ord. 1473 (part), 2001: Prior code § 8-4-19(3))

9.52.230 - "No dumping" signs furnished by county.

The county will furnish to any person who shall apply for the same a "No Dumping" sign at cost, to be placed on any lot where offensive or other refuse is likely to be deposited.

(Prior code § 8-4-9)

9.52.240 - Dead animals—Disposal regulations.

- A. It shall be the duty of every owner of any animal found dead within the county to immediately notify the health department of the location of such animal, so that the same may be removed as speedily as possible.
- B. It is unlawful for any person knowingly to permit any dead animal to remain upon the premises of such person, or for the owner of any dead animal knowingly to permit the same to remain upon any public street or other public property or upon any premises within the county, for more than three hours without notifying the health department of the location of the same.
- C. If the owner of such dead animal does not remove it himself or cause it to be properly removed, the health department may cause it to be removed and thereupon assess the actual costs of such

against the owner, and may avail itself of all remedies in law and equity to enforce such removal and recover the costs thereof.

(Prior code § 8-4-16)

9.52.250 - Placing animals in streams and reservoirs prohibited.

It is unlawful for any person to throw or deposit any dead animal or fowl, or any live animal or fowl for the purposes of drowning, in any reservoir, canal, creek or other stream or body of water within the county.

(Prior code § 8-4-17)

9.52.260 - Wind-blown refuse prohibited.

It is unlawful to cause or permit to accumulate in the county, except in a covered container, any dust, ashes or tash of such material that it can be blown by the wind.

(Prior code § 8-4-18)

9.52.270 - Loose trade waste.

It is unlawful for any person to place or cause to be placed upon any street or alley, for the purpose of collection or otherwise, any loose paper, excelsior or similar trade waste. All such trade waste must be baled or placed in adequate receptacles for receiving and holding such refuse.

(Prior code § 8-4-15)

9.52.280 - Uncovered garbage prohibited.

It is unlawful to place or permit to remain anywhere in the county any garbage or other material subject to decay, other than leaves or grass, except in a tightly covered container, as specified by the rules and regulations of the Salt Lake County Special Service District No. 1.

(Prior code § 8-4-12)

9.52.290 - Loaded vehicles on streets.

It is unlawful for any person to suffer, permit or allow any vehicle loaded with garbage, manure, slop, swill, market waste or other refuse to be or remain standing upon any public street within the county any longer than may be necessary for the purpose of loading and transporting the same.

(Prior code § 8-4-10)

9.52.300 - Spilling refuse from vehicles.

It is unlawful to deposit or permit to fall from any vehicle, any garbage, refuse or ashes on any public street or alley in the county; provided, that this section shall not be construed to prohibit placing garbage, refuse or ashes for collection in a manner complying with the prescribed rules and regulations of the Salt Lake County Special Service District No. 1.

(Prior code § 8-4-13)

9.52.310- Burning of waste.

It is unlawful to burn any garbage, trash or other wastes, except those permitted under Section 9.72.140 of this code, or approved by the health department.

(Ord. 1473 (part), 2001: 1986 Recodification: prior code § 8-4-14)

9.52.320- Collection services refused when— Evidence.

- A. When an occupant of any premises fails to pay the fee for removal of garbage, refuse or ashes, the Salt Lake County Special Service District No. 1 shall notify the occupant of this fact and shall refuse further collection until the required fee is paid.
- B. The fact that garbage, night soil, dead animals, refuse or ashes remain on any occupant's premises in the county in violation of this chapter shall be prima facie evidence that the occupant of such premises is responsible for the violation of the chapter occurring.

(Prior code § 8-6-10)

Chapter 9.56- LITTER CONTROL

Sections:

9.56.010- Definitions.

For the purposes of this chapter, the following definitions shall apply:

"Containers" means health department and collection agency approved metal, heavy-duty paper or plastic receptacles used for the disposal and storage of solid waste.

"Litter" means any quantity of uncontainerized paper, metal, plastic, glass or miscellaneous solid waste which may be classed as trash, debris, rubbish, refuse, garbage or junk.

"Private property" means and includes, but is not limited to, the following exterior locations owned by private individuals, firms, corporations, institutions or organizations: Yards, grounds, driveways, entranceways, passageways, parking areas, working areas, storage areas, vacant lots and recreation facilities.

"Public property" means and includes, but is not limited to, the following exterior locations: Streets, street medians, roads, road medians, catch basins, sidewalks, strips between streets and sidewalks, lanes, alleys, public rights-of-way, public parking lots, school grounds, publicly owned vacant lots, parks, playgrounds and other recreational facilities, and publicly owned waterways and bodies of water.

(Prior code § 8-6-1)

9.56.020- Keeping property clean.

- A. It shall be the duty of the owner, agent, occupant or lessee to keep exterior private property free of litter. This requirement applies not only to removal of loose litter, but to materials that already are, or become, trapped at such locations as fence and wall bases, grassy and planted areas, borders, embankments and other lodging points.

- B. Owners, agents, occupants or lessees whose properties face on municipal sidewalks and strips between streets and sidewalks shall be responsible for keeping those sidewalks and strips free of litter.
- C. It is unlawful to sweep or push litter from sidewalks and steps into streets. Sidewalk and step sweepings must be picked up and put into household or commercial solid waste containers.
- D. Litter not removed from private property under the provisions of this chapter may be removed by the county pursuant to the provisions of Chapter 9.60 of this code, with costs and expenses for such cleaning or removal assessed in accordance with such provisions.

(Prior code § 8-6-9)

9.56.030 - Solid waste storage and disposal facilities— New buildings.

- A. Before building permits shall be issued for construction of commercial buildings and multiple-dwelling units, plans for the adequacy, location and accessibility of solid waste containerization and storage facilities must be approved by the department of public works.
- B. No certificate of occupancy shall be issued for such premises until the department's approval of these facilities has been obtained.

(Prior code § 8-6-8)

9.56.040 - Household solid waste.

All residents located in the unincorporated areas of the county shall comply with the rules and regulations of Salt Lake County Special Service District No. 1 in all matters pertaining to containerization and removal of solid wastes.

(Prior code § 8-6-6)

9.56.050 - Commercial, business and multiple residential solid waste.

- A. Solid waste generated or stored for collection at commercial establishments and institutions, businesses, apartment houses, multiple-dwelling units and public buildings shall be:
 - 1. Kept containerized and covered or enclosed at all times; and
 - 2. Removed at the direction of the owners of such establishments or institutions at least once each week and on such additional occasions as are necessary to prevent nuisance or adverse health conditions.
- B. It is unlawful for any owner, manager or employee of a commercial establishment or institution, business, apartment house, multiple-dwelling unit or public building to deposit solid waste from that establishment or institution in any receptacle maintained on a sidewalk or at any other location for disposal of litter by pedestrians.

(Prior code § 8-6-7)

9.56.060 - Loading and unloading operations.

- A. Any owner or occupant of an establishment or institution at which litter is attendant to the packing and unpacking and loading and unloading of materials at exterior locations shall provide suitable

containers for the disposal and storage of such litter, and shall make appropriate arrangements for the collection thereof.

- B. Further, it shall be the duty of the owner or occupant to remove at the end of each working day any litter that has not been containerized at these locations.

(Prior code § 8-6-4)

9.56.070 - Public waste containers—Provision required.

To facilitate proper disposal of litter by pedestrians and motorists, publicly patronized or used establishments and institutions shall provide, regularly empty, and maintain in good condition, adequate containers that meet standards prescribed in this chapter. The requirement shall be applicable, but not limited to, fast-food outlets, shopping centers, convenience stores, supermarkets, service stations, commercial parking lots, mobile canteens, motels, hospitals, schools and colleges.

(Prior code § 8-6-2(3))

9.56.080 - Public waste containers—Use required.

It is unlawful for any person to throw, discard, place or deposit litter in any manner or amount on any public or private property within the unincorporated area of the county except in containers or areas lawfully provided therefor.

(Prior code § 8-6-2(1))

9.56.090 - Commercial handbills and advertising—Restrictions.

It shall be the duty of every person distributing commercial handbills, leaflets, flyers or any other advertising and information material to take whatever measures that may be necessary to keep such materials from littering public or private property.

(Prior code § 8-6-2(2))

9.56.100 - Vehicles transporting loose materials.

- A. It is unlawful for any person, firm, corporation, institution or organization to transport any loose cargo by truck or other motor vehicle within the unincorporated area of the county unless the cargo is covered and secured in compliance with Chapter 9.52 of this title, so as to prevent depositing of litter on public and private property.
- B. The duty and responsibility imposed by subsection A of this section shall be applicable alike to the owner of the truck or other vehicle and the operator thereof.

(Prior code § 8-6-3)

9.56.110 - Construction and demolition project requirements.

- A. It is unlawful for the owner, agent or contractor in charge of any construction or demolition site to cause, maintain, permit or allow to be caused, maintained or permitted the accumulation of any litter on the site before, during or after completion of the construction or demolition project.

- B. It shall be the duty of the owner, agent or contractor to have on the site adequate containers for the disposal of litter and to make appropriate arrangements for the collection thereof or for transport by himself to an authorized facility for final disposition.
- C. The owner, agent or contractor may be required by a county building inspector or health department inspector to show proof of appropriate collection or, if transported by himself, of final disposition at an authorized facility.

(Prior code § 8-6-5)

Chapter 9.60 - WEEDS AND REFUSE

Sections:

9.60.010 - Responsibility to keep property clean.

It is unlawful for any person, corporation, partnership or legal entity owning or occupying real property in the county to let the height of weeds on such property to grow beyond the maximum permitted, or to fail to remove from the property any such weeds or refuse, unsightly or deleterious objects or structures, after having been given written notice by the county or the health department.

(Ord. 1473 (part), 2001; Ord. 1297 § 3, 1995; prior code § 9-9-1)

9.60.020 - Weed control standards.

Weeds shall not be permitted to reach a height of more than six inches at any time, and shall be cleared from all real property in the county. The cuttings shall be cleared and removed from the premises.

(Prior code § 9-9-2)

9.60.030 - Examination of property for compliance.

The county and the health department shall be authorized to make examination and investigation of all real property in the county to determine whether the owners of such property are complying with the provisions of this chapter.

(Ord. 1473 (part), 2001; Ord. 1297 § 4, 1995; prior code § 9-9-3)

9.60.040 - Violation—Notice to owner.

Upon a determination that a violation of the provisions of this chapter exists, the county or the health department shall ascertain the name of the owner and a description of the premises where the violation exists. The county or the health department shall serve notice in writing upon the owner or occupant of such property, either personally or by mailing notice, postage prepaid, addressed to the owner or occupant at the last known post office address as disclosed by the records of the county assessor, requiring such owner or occupant, as the case may be, to eradicate, destroy or remove the weeds, refuse, objects or structures causing the violation within such time as the county or the health department may designate, which shall be no less than ten days from the date of service of such notice.

(Ord. 1473 (part), 2001; Ord. 1297 § 5, 1995; prior code § 9-9-4)

9.60.050 - Property cleaned by county when—Costs.

- A. If any owner or occupant of property described in the notice provided in this chapter fails to eradicate or destroy and remove such weeds, refuse, objects or structures in accordance with such notice, the county or the health department is authorized to employ necessary assistance and cause such weeds, refuse, objects or structures to be destroyed or removed at the expense of the county or the health department, respectively.
- B. The county or the health department shall prepare an itemized statement of all expenses incurred in the removal and destruction of same and shall mail a copy thereof to the owner demanding payment within twenty days of the date of mailing. Such notice shall be deemed delivered when mailed by registered mail and addressed to the last known address of the property owner.

(Ord. 1473 (part), 2001: Ord. 1297 § 6, 1995: prior code § 9-9-5)

9.60.060- Costs—Alternate methods of compelling payment.

In the event the owner fails to make payment of the amount set forth in such statement, to the county treasurer within twenty days of the date of mailing, the county or the health department may either cause suit to be brought in an appropriate court of law, or refer the matter to the county treasurer, as provided in this chapter.

(Ord. 1473 (part), 2001: Ord. 1297 § 7, 1995: prior code § 9-9-6)

9.60.070- Costs—Collection by lawsuit.

In the event collection of expenses of destruction and removal are pursued through the court, the county shall sue for and receive judgment for all expenses of destruction and removal, together with reasonable attorney's fees, interest and court costs, and shall execute upon such judgment in the manner provided by law.

(Prior code § 9-9-7)

9.60.080- Costs—Collection through taxes.

In the event that the county or the health department elects to refer the expenses of destruction or removal to the county treasurer for inclusion in the tax notice of the property owner, an itemized statement of all expenses incurred in such destruction and removal shall be prepared by the county or the health department and delivered to the county treasurer within sixty days after the county or the health department demands payment pursuant to Section 9.60.050(B) herein.

(Ord. 1473 (part), 2001: Ord. 1342 § 2, 1996: Ord. 1297 § 8, 1995: prior code § 9-9-8)

9.60.090- Costs—Included in tax notice—Procedures.

- A. Upon receipt of the itemized statement of the costs of destroying or removing the weeds, refuse, objects or structures, the county treasurer shall forthwith mail one copy to the owner of the land from which the same was removed, together with a notice that objection in writing to the mayor may be made within thirty days to the whole or any part of the statement so filed. The county treasurer shall, at the same time, deliver a copy of the statement to the mayor.
- B. If objections to any statement are filed with the mayor, the mayor shall set a date for hearing, giving notice thereof, and upon the hearing of the matter, fix and determine the actual cost of destruction or removal, reporting their findings to the county treasurer.

- C. If no objections to the items of the account are made within thirty days of the date of mailing, the county treasurer shall enter the amount of such statement on the assessment rolls of the county in the column prepared for that purpose. The treasurer shall, within ten days of the date of the action of the mayor upon any objections filed, enter in the prepared column, upon the tax rolls, the amount found by the board to be the cost of destruction and removal. If current tax notices have been mailed, the taxes so incurred may be carried over on the rolls to the following year.
- D. After the entry by the county treasurer of the costs of removing weeds, refuse or unsightly or deleterious objects or structures, the amount so entered shall have the force and effect of a valid judgment of the district court, and shall be a lien upon the lands from which the weeds, refuse or structures were destroyed and removed, and shall be collected by the county treasurer at the time of and in the manner provided for the payment of general taxes.

(Ord. 1473 (part), 2001: Prior code § 9-9-9)

Chapter 9.64 - RAT AND RODENT CONTROL

Sections:

9.64.010 - Definitions.

For the purposes of this chapter, the following phrases, terms and words shall have the meanings given in this section:

"Business building" means any structure, whether public or private, regardless of the type of material used in its construction, located within the boundaries of the county, that is adapted to occupancy for the transaction of business, whether vacant or occupied, for the rendering of professional services, or for the display, sale or storage of goods, wares or merchandise, or for the performance of work or labor, including hotels, roominghouses, boardinghouses, apartment houses, taverns, breweries, office buildings, public buildings, stores, markets, restaurants, grain elevators, abattoirs, warehouses, workshops, factories, junkyards, scrap iron businesses or places, lumberyards, coal yards, automobile tire yards, shed or buildings used for the storage of tires, and any or all similar places.

"Health officer" means the director of health of the health department, or any duly authorized representative.

"Occupant" means the individual, partnership or corporation that uses or occupies any buildings, or part or fraction thereof, whether as the actual owner or tenant. In case of vacant buildings or vacant portions thereof, the owner, agent or custodian shall have the responsibility of an occupant.

"Owner" means the actual owner, agent or custodian of the building, whether individual, partnership or corporation. The lessee shall be construed as the "owner" for the purpose of this chapter when business or residential buildings agreements hold the lessee responsible for maintenance and repairs.

"Rat eradication" means the elimination or extermination of rats within buildings or premises by any or all of the accepted measures, such as poisoning, fumigation, trapping, clubbing, etc.

"Rat harborage" means any condition that provides shelter or protection for rats, thus favoring their multiplication and continued existence in, under or outside of any structure.

"Residential building" means any structure built for occupancy as living quarters.

"Vent stoppage or rat proofing" means a form of rat proofing to prevent the ingress of rats into buildings from the exterior or from one building to another.

(Ord. 1473 (part), 2001: Prior code § 9-12-1)

9.64.020 - Rat proofing—Standards and specifications.

- A. "Rat proofing" consists of the closing and keeping closed of all openings in the exterior walls, ground or first floors, basements, roofs, sidewalk gratings, sidewalk openings, foundations, elevator shafts, fire escapes, and other places that may be reached and entered by rats by climbing, burrowing or otherwise.
- B. The material to be used for rat proofing shall include cement, concrete, brick masonry laid in cement, concrete mortar, sheet metal, and hardware cloth of not less than nineteen gauge having a mesh not larger than one-half inch. All material for rat proofing shall be of such strength and thickness as to be impervious to rat gnawing.
- C. Windows and other openings for light or ventilation, the sills of which are less than thirty inches from the ground or accessible to rats by means of climbing wires or pipes, shall, if open, be covered by hardware cloth conforming to the above gauge and dimensions. All exterior doors shall be protected against the gnawing of rats by the use of materials prescribed above. When closed, all exterior doors shall have a maximum clearance between doors, doorsills and jambs of not exceeding three-eighths inch. In all side and rear doors that are left open at night and those that are left open during the day, but infrequently used, shall be installed hardware cloth doors conforming to the above dimensions and equipped with a self-closing device. All concrete floors and curtain walls shall be at least four inches in thickness.

(Prior code § 9-12-2)

9.64.030 - Rat proofing—Owner responsibility.

All buildings in the county shall be rat proofed by the owner and freed of rats and maintained in a rat proof and rat-free condition by the occupant or tenant to the satisfaction of the director of health.

(Prior code § 9-12-3)

9.64.040 - Closing of openings required.

It is unlawful under the provisions of this chapter for the occupant, owners, contractor, public utility company, plumber or any other person to remove and fail to restore in like condition the rat proofing from any building for any purpose. Further, it is unlawful for any person or agent to make any new openings that are not closed or sealed against the entrance of rats.

(Prior code § 9-12-9)

9.64.050 - Building plan review.

When, in the opinion of the building inspection division, plans for building, remodeling or renovating indicate that such changes or construction will affect the rat proof condition of a building or structure, the building inspection division shall forward such plans or specifications to the health department for their recommendations with regard to rat proofing or vent stopping. This shall apply both to new buildings or the renovating of existing structures.

(Prior code § 9-12-12)

9.64.060 - Construction or repair of buildings.

It is unlawful for any person, firm or corporation hereafter to construct, repair or remodel any building, dwelling, stable or market, or other structure whatsoever, unless such construction, repair, remodeling or installation shall render the building or other structure rat proof in accordance with the regulations

prescribed in this chapter and hereunder; provided that only such repairs, remodeling or installation as affect the rat proof condition of any building or other structure shall be considered as subject to the provisions of this chapter.

(Prior code § 9-12-10)

9.64.070 - Food storage buildings—Compliance required.

It is unlawful for any person, firm or corporation hereafter to occupy any building or structure wherein foodstuffs are to be stored, kept, handled, sold, held or offered for sale without complying with the rat proof regulations prescribed in this chapter for existing buildings and structures. No license from the county to conduct or carry on a business will be issued to any person, firm or corporation until the requirements of this chapter have been complied with.

(Prior code § 9-12-11)

9.64.080 - Food containers for animals—Rat proofing.

All food and feed within the county for feeding chickens, cows, pigs, horses and other animals shall be stored in rat-free and rat proof containers, compartments or rooms, unless stored in a rat proof building.

(Prior code § 9-12-15)

9.64.090 - Wire and guy wire rat proofing.

Utility companies shall place all wires and/or guy wires attached to buildings at least eighteen inches away from openings, and/or attach rat guards, as defined by rules and regulations of the health department.

(Prior code § 9-12-14)

9.64.100 - Building maintenance.

When a building or other structure shall have been rat proofed in accordance with the regulations prescribed in this chapter, the owner shall, without a specific order of the county health officer and regardless of the need for remodeling, repair or installation, maintain such building or structure in a rat proof condition.

(Prior code § 9-12-13)

9.64.110 - Inspection for compliance.

The health officer is empowered to make unannounced inspections of the interior and exterior of buildings to determine full compliance with this chapter, and the health officer shall make periodic inspections of all rat proofed buildings to determine evidence of rat infestation and the existence of new breaks or leaks in their rat proofing and, when any evidence is found indicating the presence of rats, or openings through which rats may again enter buildings, the health officer shall serve the owners or occupants with notice and/or orders to abate the conditions found.

(Prior code § 9-12-4)

9.64.120 - Notice to comply—Issuance—Effect.

Upon the discovery of evidence of a violation of this chapter or of rat infestation of any building, written notice shall be given to the owner or occupant of the building to take immediate measures to correct the violation and remove the infestation. The notice shall specify that the work must be completed within the time specified in the notice, which shall in no event be less than fifteen days from the date of the notice. It is unlawful for any person to fail to comply with the terms of the notice.

(Prior code § 9-12-5)

9.64.130 - Work performed by county when—Costs.

Whenever the health officer notifies the occupants of a business building that there is evidence of rat infestation of the building, the occupants shall immediately institute appropriate measures for freeing the premises each occupant of all rats, and, unless suitable measures for freeing the building of rats are instituted within fifteen days after receipt of notice, and unless continuously maintained in a satisfactory manner until the building is free of rats, the health department is hereby authorized and directed to free the building of rats at the expense of the owner thereof. The health department shall submit bills for the costs thereof to the owner or occupant of the building, and if the same are not paid, the health department shall certify the amount due from the owner or occupant to the attorney, and the attorney shall bring suit to collect the same.

(Ord. 1473 (part), 2001: Prior code § 9-12-6)

9.64.140 - Buildings—Closure for abatement authorized when.

Whenever conditions inside or under occupied business buildings provide extensive harborage for rats, in the opinion of the health officer, the health officer is empowered, after due notification in accordance with Section 9.64.120 of this chapter, to close the business buildings until such time as the conditions are abated by rat proofing and harborage removal, including, if necessary, the installation of suitable concrete floors in basements or replacement of wooden first or ground floors with concrete, or other major repairs necessary to facilitate rat eradication.

(Prior code § 9-12-7)

9.64.150 - Buildings—Destruction authorized when.

Whenever conditions inside or under unoccupied business buildings provide extensive harborage for rats, in the opinion of the health officer, the health officer is empowered to require compliance with the provisions of Section 9.64.120 of this chapter and, in the event that such conditions are not corrected in a period of sixty days, or within the time to which a written extension may have been granted by the health officer, the health officer is empowered to institute condemnation and destruction proceedings.

(Prior code § 9-12-8)

9.64.160 - Stacking of loose materials prohibited.

It is unlawful for any person to permit to accumulate on any premises, improved or vacant, or on any open lot or alley in the county, any lumber, boxes, barrels, bottles, cans, containers, junk or other materials that may be permitted to remain thereon unless the same shall be placed on open racks that are elevated not less than eighteen inches above the ground and evenly piled or stacked.

(Prior code § 9-12-19)

9.64.170 - Trash accumulations prohibited.

It is unlawful for any person to place, leave, dump or permit to accumulate any garbage, rubbish, trash or junk in any building or on any premises, improved or vacant, or any open lot or alley or elevated loading platforms in the county, so that the same shall or may afford food or harborage for rats.

(Prior code § 9-12-18)

9.64.180 - Garbage—Covered containers required.

Within the corporate limits of the county all garbage or refuse consisting of waste animal or vegetable matter upon which rats may feed, and all small dead animals, shall be placed and stored until collected in covered containers of a type prescribed by the health officer.

(Prior code § 9-12-16)

9.64.190 - Garbage—Dumping prohibited.

It is unlawful for any person, firm or corporation to dump or place on any premises, land or waterway, any dead animals, or waste vegetable or animal matter of any kind.

(Prior code § 9-12-17)

9.64.200 - Enforcement—Rules and regulations.

The board of health is authorized to adopt such rules and regulations as it considers necessary to enforce the provisions of this chapter.

(Prior code § 9-12-20)

Chapter 9.68 - HOG RANCHES

Sections:

9.68.010 - Buildings and sanitation—Rules and regulations.

The board of health shall formulate rules and regulations necessary to insure the proper construction and sanitation of all buildings, feeding floors, watering troughs, hog wallows, hog pens, wash racks, food and refuse platforms, storage and disposal of garbage, waste matter or offal associated with hog ranches.

(Prior code § 9-3-2)

9.68.020 - Report to health department required.

It is unlawful for any person to conduct, maintain or operate an establishment for the feeding, keeping and caring of more than ten hogs without first submitting a report to the health department showing the location and sanitary condition of such establishment.

(Prior code § 9-3-1)

9.68.030 - Care of hog feed.

All garbage, house refuse or offal for feeding to hogs on any hog ranch located in the county shall be kept in watertight metal tanks with close-fitting covers, and all such tanks shall be cleaned and disinfected at least once daily when in use, and shall be subject to the inspection of the health department, and shall be constructed, cleaned and disinfected in accordance with instructions given by the health department.

(Prior code § 9-3-4)

9.68.040 - Waste disposal restrictions.

It is unlawful for any person to dispose of any garbage, waste matter or offal from a hog ranch without burning, burying or otherwise disposing of the same, as shall be directed by the health department.

(Prior code § 9-3-3)

9.68.050 - Inspection for compliance.

The health department shall inspect and examine all hog ranches and regulate the sanitary condition thereof, and shall, further, make recommendations concerning the sanitary condition thereof which the owner shall immediately carry out and put into effect.

(Prior code § 9-3-5)

Chapter 9.72 - AIR POLLUTION CONTROL

Sections:

9.72.010 - Title for citation.

The ordinance codified in this chapter shall be known and may be cited as the "Salt Lake County air pollution control ordinance."

(Prior code § 9-8-2)

9.72.020 - Purpose of provisions.

The purpose of these regulations and standards is to preserve, protect and improve the air resources of Salt Lake County so as to promote health, safety and welfare, prevent injury to plant and animal life and property, foster the comfort and convenience of county inhabitants and, to the greatest degree practicable, facilitate the enjoyment of the natural attractions of the county.

(Prior code § 9-8-3)

9.72.030 - Definitions.

For the purpose of this chapter, the following terms, phrases and words shall have the meanings given in this section:

"Agricultural burning" means open burning in rural areas essential to agricultural operations, including the growing of crops, the raising of fowl, animals or bees, when conducted on the premises where produced.

"Aerosols" means any dispersed matter, solid or liquid, in which the individual aggregates are larger than single molecules but smaller than five hundred microns in diameter (one micron is one-millionth of a meter).

"Air contaminant" means any particulate matter or any gas, vapor, odorous substance, suspended solid, or any combination thereof, excluding steam and water vapors.

"Air contaminant source" means any and all places where an air contaminant originates.

"Air pollution" means the presence in the ambient air of one or more air contaminants in quantities sufficient to be excessive or objectionable, as determined by the standards, rules and regulations adopted by the health department.

"Ambient air" means the surrounding or outside air.

"Atmosphere" means the air that envelopes or surrounds the earth, and includes all spaces outside of buildings, stacks or exterior ducts.

"Board" means the Salt Lake Valley board of health.

"Btu" means British thermal unit, the quantity of heat necessary to raise the temperature of one pound of water one degree Fahrenheit.

"Clearing index" means a number indicating the predicted rate of clearance of ground-level pollutants from a given area. This number is calculated by the U.S. Weather Bureau from daily measurements of temperature lapse rates, and wind speeds and directions from ground level to ten thousand feet.

"Control equipment" means any equipment that has the function of controlling the emissions from a process, fuel-burning or refuse-burning equipment, and thus reduces the creation of or the emission of air contaminants into the atmosphere, or both.

"Department" means the Salt Lake Valley health department.

"Director" means the director of health, or authorized representative.

"Emission" means the act of discharging into the atmosphere an air contaminant or an effluent that contains or may contain an air contaminant, or the effluent so discharged into the atmosphere.

"Equivalent opacity" means the relationship of opaqueness or percent obscuration of light to the Ringelmann Chart for shades other than black, and is approximately equal to the following:

Opacity Percent Ringelmann

10 0.5

20 1

30 1.5

40 2

60 3

80 4

"Existing installation" means a plant, process, process equipment or a device, the construction of which began prior to the effective date of any regulation having application to it.

"Facility" means machinery, equipment, structures, or any part of accessories thereof, installed or acquired for the primary purpose of controlling or disposing of air pollution.

"Fugitive dust" means solid airborne particulate matter emitted from any source other than through a stack or chimney.

"Garbage" means the animal and vegetable waste and food refuse resulting from handling, preparing, cooking and consumption of food.

"Heavy fuel oil" means a petroleum product of similar material heavier than diesel fuel.

"Household waste" means any solid or liquid material normally generated by a person or persons in a residence in the course of ordinary day-to-day living, including but not limited to garbage, paper products, rags, leaves and garden trash.

"Incinerator" means any device used for the destruction of garbage, rubbish or other wastes by burning, or to process salvageable material by burning.

"LPG" means liquid petroleum gas, such as propane or butane.

"Multiple-chamber incinerator" means any device used to dispose of combustible refuse by burning, consisting of three or more refractory-lined combustion furnaces in series, physically separated by refractory walls, interconnected by gas passage ports or ducts, and employing adequate parameters necessary for maximum combustion of material to be burned.

"New installation" means a plan, process, or process equipment, construction of which began following the effective date of the regulation concerned. A modified process unit or system shall be construed as a new installation if a physical change in, or change in the method of, a process unit system increases the amount of any air pollutant not previously emitted. An increase in either production rate or hours of operation alone shall not be considered a change in method of operation.

"Odor" means property of an air contaminant that affects the sense of smell.

"Open burning" means a fire from which the products of combustion are emitted directly into the open air without passing through a stack or chimney.

"Particulate" means any gas-borne material, except uncombined water, that exists as a liquid or solid and that is capable of being suspended in a gaseous system.

"Person" means any individual, public or private corporation, partnership, association, firm, trust, estate, the state or any department, institution, bureau or agency thereof, any political subdivision of the state, or any legal entity whatsoever that is recognized by the laws as being subject to rights and duties.

"Public nuisance" means unlawfully doing any act that annoys, injures or endangers the comfort, repose, health or safety of three or more persons, or that in any way renders three or more persons insecure in life or the use of property.

"Recreation fire" means a campfire that can be safely confined to a fire ring no larger than eight feet in diameter.

"Refuse" means any solid waste, including garbage and trash.

"Ringelmann Chart" means the chart published by the U.S. Bureau of Mines (Information Circular 9333) which illustrates graduated shades of gray to black for use in determining the light-obscuring capability of particulate matter.

"Salvage operation" means any business, trade or industry engaged in whole or part in salvaging or reclaiming any product or material, including but not limited to metals, chemicals, shipping containers, or drums.

"Sand blasting" means the use of a mixture of sand and air at high pressures for cleaning and/or polishing any type of surface.

"Stack" means any chimney, flue, conduit or duct arranged to conduct emissions to the ambient air.

"Trash" means solids not considered to be highly flammable or explosive, including but not limited to clothing, rags, leather, plastic, rubber, floor coverings, excelsior, tree leaves, yard trimmings, and other similar material.

"Waste" means all solid, liquid or gaseous material, including but not limited to garbage, trash, household waste, construction or demolition debris, or other refuse, including that resulting from the prosecution of any business, trade or industry.

(Ord. 1473 (part), 2001: Prior code § 9-8-6)

9.72.040 - Health department powers and duties.

In addition to any other powers vested in it by law, the health department shall:

- A. Conduct studies, investigations and research relating to air pollution and its prevention, abatement and control;
- B. Issue such orders as may be necessary to effect the purpose of this chapter and enforce the same by all appropriate administrative and judicial proceedings;
- C. Secure necessary scientific, technical, administrative and operational services, including laboratory facilities, by contract or otherwise, through the authority of the county;
- D. Prepare and develop a comprehensive plan or plans for the prevention, abatement and control of air pollution;
- E. Advise, consult and cooperate with other local government units, agencies of the state, industries, interstate or interlocal agencies, the federal government, and with interested persons and groups;
- F. Review those matters having a bearing upon air pollution referred by other agencies (such as planning, zoning, building and fire departments), and make reports, including recommendations, to the referring agencies with respect thereto;
- G. Collect and disseminate information and conduct educational and training programs relating to air pollution;
- H. Encourage voluntary cooperation by persons or affected groups to achieve the purposes of this chapter;
- I. Receive and administer grants or other funds or gifts from public and private agencies, including the state and federal government, for the purpose of carrying out any of the functions of this chapter;
- J. Do any and all acts which may be necessary for the successful prosecution of the purpose of this chapter within the purview of all county ordinances as established, and such other acts as may be specifically enumerated herein.

(Ord. 1473 (part), 2001: Prior code § 9-8-5)

9.72.050 - Exemptions to chapter application.

The provisions of this chapter shall not apply to any person who is in compliance with state or federal air pollution control regulations or who has applied for or is operating under an approved compliance schedule, exemption, variance or approval order issued by the Utah Department of Environmental Quality or the United States Environmental Protection Agency.

(Ord. 1473 (part), 2001; Ord. 798, 1982; prior code § 9-8-20)

9.72.060 - Air pollution prohibited.

No person shall cause or permit the discharge from any source whatsoever such quantities of air contaminants or other materials that cause injury, detriment, nuisance or annoyance to any person or the public, or that cause injury or damage to business or property as defined in subsection 5 of Section 9.72.030, and Sections 9.72.130 through 9.72.150 of this chapter.

(Prior code § 9-8-7)

9.72.070 - Air pollution nuisances prohibited.

- A. No person shall cause or permit the discharge from any source whatsoever such quantities of air contaminants or other materials that cause a nuisance to any person or to the public.
- B. Nothing in any other part of these regulations concerning emissions of air contaminants, or any other regulation relating to air pollution shall in any manner be construed as authorization or legalizing the creation or maintenance of a nuisance, as described in subsection 30 of Section 9.72.030.

(Prior code § 9-8-8)

9.72.080 - Construction of new installations—Notice to county—Exemptions.

- A. Except for the exemptions listed in this chapter, any person planning to construct a new installation that will or might reasonably be expected to become a source of air pollution or to make modifications to an existing installation that will or might reasonably be expected to increase the amount or change the effect of or the character of air contaminants discharged, so that such installation may be expected to become a source of air pollution, or any person planning to install control equipment or other equipment intended to control emission of air contaminants, shall submit to the department a notice of intent to construct prior to initiation of construction.
- B. The following information shall be submitted with the notice of construction:
 - 1. A description of the nature of the process(es) involved; the nature, procedures for handling, and the quantities of raw materials; the type and quantity of fuels employed; and the nature and quantity of finished product;
 - 2. Expected composition of effluent stream, both before and after treatment by any control equipment, including emission rate, volume, temperature and contaminants;
 - 3. Expected physical characteristics of aerosols;
 - 4. Size, type and performance characteristics of control equipment;
 - 5. Location and elevation of the emission point and other factors relating to dispersion and diffusion of the air contaminant in the outer air, the relation of the emission to nearby structures and window openings, and other information necessary to appraise the possible effects of the effluent;
 - 6. The location of planned sampling points and the tests to be made of the completed installation by the owner when necessary to ascertain compliance.

C. The following types of installations are exempt from the notice requirements:

1. Comfort heating equipment, boilers, water heaters, air heaters, and steam generators with the rated capacity of less than five hundred thousand Btu's per hour;
2. Comfort ventilating systems not designed to remove air contaminants generated by or released from equipment;
3. Unit space heaters;
4. Vacuum cleaning systems used exclusively for commercial or residential housekeeping;
5. Exhaust systems for controlling steam and heat that do not contain combustion products;
6. Fuel-burning equipment using no other fuel than natural gas or LPG, or other mixed gas distributed by a utility in accordance with the rules of the Public Service Commission of the state.

(Prior code § 9-8-11)

9.72.090- Operations resulting in air pollution— Notice to county.

Persons engaged in operations that may result in air pollution shall, if so required, file with the department reports containing information as to:

- A. Location and description of source;
- B. Rate, duration and composition of contaminant emission;
- C. A schedule whereby an unlawful activity will be brought into compliance over a specified period of time;
- D. Progress in achieving compliance; and
- E. Such other information as the department may require.

(Prior code § 9-8-10)

9.72.100- Equipment malfunction— Report requirements.

- A. **Equipment Shutdown.** In the case of shutdown of air pollution control equipment for necessary scheduled maintenance, the intent to shut down such equipment shall be reported to the department at least twenty-four hours prior to the planned shutdown. Such prior notice shall include, but is not limited to, the following:
 1. Identification of the specific facility to be taken out of service, as well as its location;
 2. The expected length of time that the air pollution control equipment will be out of service;
 3. The nature and quantity of emissions of air pollutants likely to be emitted during the shutdown period;
 4. Measures, such as the use of off-shift labor and equipment, that will be taken to minimize the length of the shutdown period or minimize the quantity of emissions;
 5. The reasons why it would be impossible or impractical to shut down the source operation during the maintenance period;
 6. Approval from the department to continue operations during the period of shutdown.
- B. **Equipment Malfunction.** Excessive emissions resulting from unavoidable breakdown of equipment or procedures must be reported immediately (within twenty-four hours) to the health department. Within five days of the beginning of such an incident, a written report shall be submitted to the health

department, which report shall include the cause and nature of the event, estimated quantity of pollutant, time of emissions, and steps taken to control the emission and to prevent recurrence. Such emission shall not be deemed in violation providing this report is considered acceptable to the health department.

(Prior code § 9-8-12)

9.72.110- Inspection for compliance— Right of entry.

Any duly authorized officer, employee or representative of the department may, with the consent of the person or persons in control of an air contaminant source, enter and inspect any property, premises or place on or at which such an air contaminant source is located or is being constructed, installed or established, at any reasonable time for the purposes of ascertaining the state of compliance with this chapter and rules and regulations in force pursuant thereto. A suitably restricted search warrant, upon a showing of probable cause in writing and upon oath or affirmation, may be issued by a court of competent jurisdiction to such officer, employee or representative of the department for the purpose of enabling him to make such inspection. No person shall refuse entry or access to any authorized representative of the department who requests entry for purposes of inspection and who presents appropriate credentials and warrant; nor shall any person obstruct, hamper or interfere with any such inspection. Nothing in this section shall be construed to prevent prompt inspection without consent or appropriate warrant in emergency situations. If requested, the owner or operator of the premises shall receive a report setting forth all facts found that relate to compliance status.

(Prior code § 9-8-9)

9.72.120- Emissions— Methods for compliance.

Emissions shall be brought into compliance with the requirements of this chapter by reduction of the total weight of contaminants discharged per unit of time rather than by dilution of emissions with clean air.

(Prior code § 9-8-13)

9.72.130- Visible emission standards.

- A. Single sources of emissions from existing installations, except incinerators and internal combustion engines, shall be of a shade or density no darker than a Number 2 Ringelmann Chart (forty percent black), or an equivalent opacity, except as provided in subsection F of this section.
- B. Single sources of emission from any incinerator or any other new installation, except internal combustion engines, shall be of a shade or density no darker than a Number ½ Ringelmann (ten percent black) or an equivalent opacity, except as provided in subsection F of this section.
- C. Gasoline engine emissions shall not be visible except for a starting motion no farther than one hundred yards, or for stationary operation not exceeding three minutes in any hour.
- D. Emissions from diesel engines manufactured after January 1, 1973, shall be of a shade or density no darker than a Number ½ Ringelmann (ten percent black) or an equivalent opacity, except for starting motion no farther than one hundred yards or for stationary operation not exceeding three minutes in any hour.
- E. Emissions from diesel engines manufactured before January 1, 1973, shall be of a shade or density no darker than a Number 2 Ringelmann (forty percent black) or equivalent opacity, except for starting motion no farther than one hundred yards or for stationary operation not exceeding three minutes in any hour.
- F. Exceptions.

1. When conducting a procedure or using equipment necessary to the operation of a process such as, but not limited to, building a new fire, tube blowing, initial warm-up or startup of locomotives, or cleaning grates, the limits specified in these regulations may be exceeded when it can be demonstrated to be unavoidable.
2. An emission failing to meet the standard because of the effect of uncombined water shall not be in violation.

(Prior code § 9-8-14)

9.72.140 - Open burning—Restrictions and permit requirements.

- A. **Community Waste Disposal.** No open burning shall be done at sites used for disposal of community trash, garbage or other wastes, except when authorized for specific periods of time by the health department on the basis of justifiable circumstances reviewed and weighed in terms of pollution effects and other relevant considerations following written application.
- B. **General Prohibitions.** No person shall burn any trash, garbage or other wastes, nor shall they conduct any salvage operations, in any open fire except in conformity with the provisions of subsections C and D of this section.
- C. **Permissible Burning—Without Permit.** When not prohibited by other laws or by other officials having jurisdiction, and provided that a public nuisance is not created, the following types of open burning are permissible without the necessity of securing a permit:
 1. In devices for the primary purpose of preparing food, such as outdoor grills and fireplaces;
 2. Campfires and fires used solely for recreational purposes, where such fires are under the control of a responsible person. Anyone planning a fire larger than that defined in subsection 31 of Section 9.72.030 will be required to obtain a special permit. Bonfires, fires built to burn Christmas trees, rally fires and similar fires are prohibited;
 3. Indoor fireplaces;
 4. Properly operated industrial flares for combustion of flammable gases;
 5. Burning on the premises of combustible household wastes generated by occupants of dwellings of four family units or less in those areas only where no public or duly licensed disposal service is available.
- D. **Permissible Burning—With Permit—Exemptions.** When not prohibited by other laws or other officials having jurisdiction, and when a public nuisance is not created, the types of open burning listed in paragraphs a through f of subdivision 4 of this subsection D are permissible:
 1. Under the terms of individual permits issued by the health department, under a clearing index system approved and coordinated by the Utah State Division of Health; or
 2. When specifically exempted by the health department following written application and appropriate consultation;
- E. **Application may be made by a political subdivision of the county, as well as by an individual citizen;**
- F. **All burning permitted under this section is to take place during the hours specified by the city-county health department:**
 - a. Agricultural burning, including on-premises orchard prunings, field stubble, weeds, and open burning to clear irrigation ditches,
 - b. Open burning of tree cuttings and slash in forest areas where the cuttings accrue from pulping, lumbering and similar operations, but excluding waste from sawmill operations such as sawdust and scrap lumber,

- c. Open burning of trees and bushes within railroad and public road rights-of-way, provided that dirt is removed from stumps before burning, and that tires, heavy fuel oil or other materials that cause severe air pollution are not used to start the fires or keep fires burning,
- d. Open burning of solid or liquid fuels or structures, for the removal of hazards or eyesores or for firemen training purposes, when conducted under the direct control and supervision of organized fire departments,
- e. Open burning in remote areas of highly explosive or other dangerous materials for which there is no other known practical method of disposal,
- f. Open burning for special purposes, or under unusual circumstances, when approved by the health department following formal request.

(Ord. 1473 (part), 2001: Prior code § 9-8-15)

9.72.150- Dust and particulate matter.

- A. No person shall cause, allow or permit the emission of fugitive particulate matter from any process, including any material handling or storage activity, that is visible beyond the property line of the emission source.
- B. No person shall cause, allow or permit a building or its appurtenances or open areas to be used, constructed, repaired, altered or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Dust and other types of particulates shall be kept to a minimum by such measures as wetting down, covering, landscaping, paving, treating, or by other reasonable means.
- C. No person shall cause, allow or permit the repair, construction or reconstruction of a roadway or an alley without taking reasonable precautions to prevent particulate matter from becoming airborne. Dust and other particulates shall be kept to a minimum by employing temporary paving, dust palliatives, wetting down, detouring, or by other reasonable means. Earth or other material that has been transported onto paved streets by trucking or earth-moving equipment, erosion by water, or by other means, shall be promptly removed.
- D. The owner or operator of a commercial establishment or industrial plant shall maintain control of the establishment premises or plant premises, and establishment or plant owned, leased or controlled access roads, by paving, oil treatment, or other suitable measures.
- E. No person shall cause, allow or permit crushing, screening, drying, handling, conveying of materials, stockpiling or other operations likely to give rise to airborne dust without taking reasonable precautions to prevent particulate matter from becoming airborne. Dust and other types of particulates shall be kept to a minimum by such means as spray bars, wetting agents, enclosure, structural barriers, or other suitable means.
- F. No person shall cause, allow or permit sandblasting or related abrasion operations unless sufficient containment measures are taken to prevent the sand and/or abrasive material from traveling beyond the property line where the operation is being conducted.
- G. No owner, operator or lessee of any real property located or situated within the county shall, after the topsoil has been disturbed or the natural cover removed, allow the same to remain unoccupied, unused, vacant or undeveloped, without taking all reasonable precautions to prevent fugitive dust from becoming airborne. Dust and other particulates shall be controlled by compacting, chemical sealers, resin sealers, asphalt sealer, planting or vegetation, or other reasonable means.

(Prior code § 9-8-16)

9.72.160- Odor control specifications.

- A. No person shall cause, allow or permit, at any time, any emission from those processes listed in subdivisions 1 through 10 of this subsection unless the emissions are incinerated at a temperature of not less than one thousand two hundred degrees Fahrenheit for a period of not less than 0.3 seconds, or processed in a manner acceptable to the health department to be equally or more effective for the purpose of air pollution control:
1. Animal blood dryers;
 2. Meat processing;
 3. Animal reduction and rendering cookers;
 4. Meat smokehouses;
 5. Asphalt roofing manufacturing;
 6. Varnish cookers;
 7. Paint bake ovens;
 8. Plastic curing ovens;
 9. Fiberglassing;
 10. Sources of hydrogen sulfide and mercaptans.
- B. A person incinerating or processing gases, vapors or gas-entrained effluents pursuant to this regulation shall provide properly installed and maintained, in good working order and in operation, devices acceptable to the health department for indicating temperature, pressure, or other operation conditions.
- C. Whenever dust, fumes, gases, mist, odorous matter, vapors or any combination thereof escape from a building used for any process, including those mentioned in subsection A of this section, in such a manner and amount as to cause a violation of this regulation, the health department may order that the building or buildings in which the processing, handling or storage are done be tightly closed and ventilated in such a way that all air and gases and air- or gas-borne materials leaving the building are treated by incineration or other effective means for removal or destruction of odorous matter or other air contaminants before discharging into the open air.
- D. Control of Odors.
1. When as many as three complaints of an objectionable odor situation are registered with the health department, or earlier, at the option of the health department, it shall be the responsibility of the health department to investigate the complaints by interview with the complainants and/or other occupants of the area of concern, to determine the source or sources of odorous matter and the circumstances surrounding its emission.
 2. When it is necessary to ascertain the presence or absence of an objectionable odor, the determination shall be made by the health department, using a panel as provided in subdivision 3 of this subsection D. The panel of five shall be appointed by the director and shall consist of not more than two members of the health department.
 3. An odor shall be deemed objectionable for the purpose of this regulation when a majority of the members of the panel exposed to the odor determines that it is or tends to annoy, injure or endanger the comfort, repose, health or safety of a person, or which in any way renders a person insecure in life or the use of property.
 4. If the panel determines that a person is causing or permitting the emission of an objectionable odor, that person shall take all steps required by the health department to control the objectionable odor.
- E. Odor-producing materials shall be stored and handled in a manner such that odors produced from such materials are confined. Accumulation of odor-producing materials resulting from spillage or other escape is prohibited.

(Ord. 1473 (part), 2001: Prior code § 9-8-17)

Chapter 9.73 - MOTOR VEHICLE EMISSIONS INSPECTION AND MAINTENANCE PROGRAM

Sections:

9.73.010 - Purpose.

In enacting this chapter, it is the purpose of the county to reduce air pollution levels by requiring inspections of in-use motor vehicles.

(Ord. 1473 (part), 2001: Ord. 1448B § 1 (part), 1999)

9.73.020 - Motor vehicle emissions inspection and maintenance regulations adopted by reference.

The provisions of the health department, Health Regulations Nos. 22A and 28, entitled "Motor Vehicle Emissions Inspection and Maintenance Program," as currently adopted by the board of health under authority of Section 26A-1-121 and Section 41-6-163.6, Utah Code Annotated (1953, as amended), are incorporated in their entirety by reference. Three copies of the current regulation shall be filed with and retained by the county clerk and with the health department for examination by any person.

(Ord. 1473 (part), 2001: Ord. 1448B § 1 (part), 1999)

9.73.030 - Violations.

The violation of any health regulation incorporated in this chapter shall constitute a Class B misdemeanor as defined by the Utah Code Annotated (1953, as amended). Each day a violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such.

(Ord. 1448B § 1 (part), 1999)

9.73.040 - Inspection and maintenance advisory committee.

The board of health shall appoint an inspection and maintenance advisory committee. The purpose of the advisory committee shall be to make recommendations to the health department, board of health and the county regarding the operation of the motor vehicle inspection and maintenance program.

(Ord. 1448B § 1 (part), 1999)

9.73.050 - Bylaws.

The board of health shall adopt bylaws governing the membership of the advisory committee, policies, procedures and other related matters. The committee members shall include representatives of the program stations, the program contractor, the automobile industry, the public, the board of health and the staff representative for the department of human services. The health department's bureau of air pollution and control shall serve as staff for the advisory committee. Committee members shall comply with the Utah Public Officers and Employees Ethics Act, Section 67-16-1 et seq., Utah Code Annotated (1953, as amended). All meetings of the advisory committee shall comply with the open meetings requirements in Sections 52-4-1 through 9, Utah Code Annotated (1953 as amended). The committee shall be considered to be an advisory board as provided for in the Governmental Immunity Act, Title 63, Chapter 30, Utah Code Annotated, (1953 as amended).

(Ord. 1473 (part), 2001; Ord. 1448B § 1 (part), 1999)

9.73.060 - Complaints and dispute resolution.

The advisory committee may implement an informal dispute resolution process between I/M program stations and the program contractor. The process shall allow the I/M program stations and the program contractor to submit disputes to the advisory committee for an informal hearing and advisory decision. The advisory committee may also receive public complaints regarding the motor vehicle inspection and maintenance program and make recommendations to the health department, board of health and the county.

(Ord. 1473 (part), 2001; Ord. 1448B § 1 (part), 1999)

9.73.070 - Policies and procedures.

It shall be the responsibility of the advisory committee to develop and implement informal dispute resolution policies and procedures. Such policies and procedures may be subject to review and approval as to form by the attorney's office and shall be reviewed and approved by the board of health. The voluntary informal dispute resolution procedures shall provide for an advisory decision only. The advisory decision may not be appealed to the board of health or the mayor or council.

(Ord. 1473 (part), 2001; Ord. 1448B § 1 (part), 1999)

Chapter 9.77 - FIRE CODE

Sections:

9.77.010 - Adoption of International Fire Code.

- A. For the purposes of prescribing regulations governing conditions hazardous to life and property from fire and explosion, the 2009 edition of the International fire Code ("IFC"), and any subsequent editions, including the international Fire Code Standards, is hereby adopted as recommended by the International Code Council and the International Conference of Building Officials, and as adopted by the Utah Fire Prevention Boards, including Appendices "B," "C," "D," "E," "F," and "G," but not Appendix "A" thereof, with such amendments as set forth below. The IFC is hereby incorporated as if set out at length herein, and from the effective date of this chapter, the provisions thereof shall be controlling within the unincorporated limits of the county.
- B. Pursuant to Section 17-53-208(5), Utah Code Annotated, 1953 as amended, a copy of the IFC has been filed for use and examination by the public in the office of the county clerk.

(Ord. No. 1678, § II, 6-8-2010; Ord. 1553, § 2 (part), 2005)

9.77.020 - Amendments to the International Fire Code.

- A. There is hereby adopted, by reference and incorporation herein, amendments to the International Fire Code, 2009, which were adopted by the Utah State Legislature in section 58.56.4. (House Bill 308—2010).
- B. Section 903.4.2 of the International Fire Code, 2009 edition, is amended to read as follows:

903.4.2. *Alarms.* Approved audible devices shall be connected to every automatic sprinkler system serving more than 20 fire sprinkler heads. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed

in the system. Alarm devices shall be provided on the exterior of the building and interior spaces per National Fire Protection Association (NFPA) 72 in an approved location. With the exception of R-3 occupancies, where a fire alarm system is installed, actuation of the automatic sprinkler system shall also actuate the building fire alarm system.

(Ord. No. 1678, § III, 6-8-2010; Ord. 1553 § 2 (part), 2005)

9.77.030- Storage of Hazardous Materials.

The storage of Class I and Class II hazardous materials, in above-ground or below-ground tanks, inside or outside of buildings, is prohibited unless allowed by the zoning provisions applicable to the location in which the proposed tanks are sited. In addition, the storage of Class I and Class II hazardous materials pursuant to this section is subject to the provisions of NFPA 30, 58 and 59A.

(Ord. No. 1678, § IV, 6-8-2010)

Editor's note— Ord. No. 1678, § IV, adopted June 8, 2010, amended the Code by repealing former § 9.77.030, and adding a new § 9.77.030. Former § 9.77.030 pertained to severability, and derived from Ord. No. 1553, § 2, of 2005.

9.77.040- Fees.

International Fire Code section 113 is adopted by reference regarding the fees for hazardous materials permitting and inspection, fire inspection, fire watch, reinspection, delay in preparation at work site, and blasting permitting. The fee schedule shall be placed on file in the office of county clerk. All fees shall be collected by and paid to the Unified Fire Authority at the time of the permit, inspection, reinspection or fire watch staffing is requested and shall be a condition of issuing the permit and scheduling the inspection, reinspection or fire watch staffing.

(Ord. No. 1678, § V, 6-8-2010)

Chapter 9.80- FIREFIGHTING ACTIVITIES AND EQUIPMENT

Sections:

9.80.010- Service inside city limits.

Members of the fire department are authorized to go inside the corporate limits of any city for the purpose of rendering aid to other fire departments, or to extinguish fires or render aid in the case of accidents; however, the fire department shall not render such service inside corporate limits except upon request of the chief of the fire department of such city, or such officer as is next in command to him, or the commanding officer at the place of the occurrence of such contingency.

(Prior code § 6-2-9)

9.80.020- Equipment to be standardized.

It is unlawful for any person, firm, corporation or association to sell or offer for sale in the county, or for any authority having charge of public property to purchase or procure any fire hose, fire hydrant, fire engine, or other equipment with threaded parts, except adapters and caps, for fire-protective purposes, unless it is fitted and equipped with the standard hydrant stem, cap nuts, and standard threads for fire hose and fire hydrant couplings and fittings designated as the national standard and adopted by the

National Fire Protection Association, which standard is hereby designated as the standard for such equipment in the county.

(Prior code § 6-2-8)

9.80.030 - Numbers on buildings.

It is unlawful for the owner, agent or occupant of any ground-floor space of any building or structure located within a business district of the county to fail or neglect to place or cause to be placed in a conspicuous position as close as practical to all ground-floor auxiliary entrances or exits of each place of business, or other unit located on the ground floor of each building or structure, a number corresponding to the official and designated street number of each such building or structure, which number shall be painted, carved or cast in figures not less than five inches in height, and be of a color opposite to the background upon which the number is mounted. This number shall be securely affixed to the building or structure, in a stationary and durable manner, and shall be kept unobstructed at all times so that the number will be clearly perceptible from a distance of one hundred fifty feet.

(Prior code § 6-2-10)

9.80.040 - Blockading of streets authorized when.

- A. Whenever a fire shall occur, it shall be lawful for the chief of the department, or the officer in command, to blockade any street, avenue, alley, sidewalk or other place if, in his judgment, it is necessary to insure the efficient working of the men, hose, engines, or hook and ladder apparatus under his command, and to protect the hose of the department from injury. He is authorized to request from the sheriff's department a detail of patrolmen sufficient, in his judgment, who for the time being shall act under his instructions.
- B. It is unlawful for any person to break through or attempt to break through the blockade mentioned in this section, or at any time to run over or attempt to run over the hose of the fire department with a railroad car, locomotive, automobile, truck, or other vehicle.

(Prior code § 6-2-2)

9.80.050 - Building demolition authorized when.

When a fire is in progress, the chief of the department or, in his absence the officer in command, in cases of imminent and urgent public necessity, may order any telegraph, telephone, electric light, street railway, or other wires or poles in close proximity thereto to be cut, taken down, or otherwise disposed of, and under like circumstances may also order the demolition of any building or other structure to prevent the spreading of an existing conflagration; but, neither the chief of the fire department nor any other officer or member thereof shall unnecessarily or recklessly destroy or injure any building, house or other property.

(Prior code § 6-2-1)

9.80.060 - Hindering firefighters prohibited when.

It is unlawful to wilfully hinder or resist any firefighter in the performance of his duty at a fire, to disregard or fail to obey the lawful orders of any firefighter or officer of the sheriff's department at the scene of a fire, to engage in any disorderly conduct calculated to prevent the fire from being extinguished, or to forbid, prevent or dissuade others from assisting to extinguish the same.

(Prior code § 6-2-3)

9.80.070 - Interfering with fire apparatus prohibited.

It is unlawful for any person to break, destroy or in any manner interfere with, obstruct, cover or cause to be hidden any electrical fire alarm register, or any wire, pole or apparatus connected therewith, or any fire hydrant.

(Ord. 841 (part), 1983; prior code § 6-2-5)

9.80.080 - Entering fire station prohibited when.

It is unlawful for any person to enter any fire department station or any place where the equipment and apparatus of the fire department is stored, except on business pertaining to the fire department or other county business.

(Prior code § 6-2-6)

9.80.090 - Injuring or destroying fire apparatus prohibited—Penalty.

- A. Whoever shall use any fire engine, hose, cart or other apparatus belonging to the county for any private purpose other than the extinguishment of fires, or remove the same or any part thereof from its place of deposit, or, having control thereof, permit such engine, hose, cart or other apparatus to be used for any private purpose other than as aforesaid, shall be guilty of a misdemeanor.
- B. Whoever shall wilfully or negligently break, deface, or in any manner injure a fire engine, hose equipment, or other fire apparatus belonging to the county, or remove any screw, bolt, nut or part of such engine or other fire apparatus, or in any manner interfere with the same when being used by the proper person or authority shall, upon conviction, be fined in a sum not exceeding two hundred ninety-nine dollars. Such fine shall be over and above whatever liability the court may impose for actual damages.

(1986 Recodification; prior code § 6-2-7)

Chapter 9.84 - STORAGE AND HANDLING OF FLAMMABLE LIQUIDS

Sections:

9.84.010 - Definitions.

For the purpose of this chapter, the definitions of flammable and combustible liquids shall be those definitions set forth for flammable and combustible liquids in the Uniform Fire Code as adopted by Chapter 9.76 of the Salt Lake County Code of Ordinances.

(Ord. 1184 § 2, 1992; prior code § 6-3-1)

9.84.020 - Permit—Required when.

A person shall obtain a permit for the following:

- A. Storage, handling or use of Class I flammable liquids, as defined in the Uniform Fire Code, in excess of five gallons in any building or other occupancy, or in excess of ten gallons outside of any building, except that no permit shall be required for the following:

1. For the storage or use of flammable liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant, or mobile heating plant,
 2. For the storage or use of paints, oils, varnishes or similar flammable mixtures, when such liquids are stored for maintenance, painting or similar purposes, for a period of not more than thirty days;
- B. Storage, handling or use of Class II or III combustible liquids, as defined in the Uniform Fire Code, in excess of twenty-five gallons in a building, or in excess of sixty gallons outside a building, except for fuel oil used in connection with oil-burning equipment;
- C. Installation and use of equipment and premises for the storage, handling, use or sale of flammable or combustible liquids, as herein stipulated. The required permit shall be obtained prior to the commencement of any work.

(Prior code § 6-3-2)

9.84.030 - Service station specifications.

At service stations having aboveground storage tanks at the time of the passage of the ordinance codified in this chapter, the following regulations shall apply:

- A. There shall be an underground tank at or near the pump or pumps. Such tank shall be satisfactorily treated to avoid rusting or destructive soil action, and shall comply with the Uniform Fire Code, 1982 Edition, Article 79.
- B. There shall be an approved external valve at the aboveground storage tank to shut off all flow in the supply line to the underground tank at the pump. There shall also be an internal emergency valve, held open by a fusible link within the shell of this tank.
- C.
 1. The supply line from the aboveground tank to the underground tank at or near the pump shall be copper or its equivalent, and shall not exceed three-quarters of an inch in diameter.
 2. All fittings shall be brass or some metal that will not be deteriorated by the fuel or weather.
 3. There shall be an inlet liquid level control valve in underground tanks.
- D. There shall be an emergency liquid level shutoff valve installed at the top of underground tanks on the vent pipe.
- E. There shall be a one-inch or larger vent from underground tanks extending upward and so located that flammable vapors will not enter building openings or be trapped under eaves or other obstructions. If the vent pipe is larger than two inches in diameter, it shall be equipped with a flame arrester.
- F. There shall be a check valve in the discharge line of underground tanks.
- G. All dispensing equipment, piping, wiring, and their installation shall comply with the Uniform Fire Code, 1982 Edition, Article 79.
- H. Gravity flow of flammable liquids to pumps shall not be permitted.
- I. All valves shall be readily accessible for operation and inspection.

(Ord. 841 (part), 1983; prior code § 6-3-4)

9.84.040 - Aboveground tanks prohibited—Exceptions.

Installation of aboveground tanks in excess of two thousand gallons for the storage of flammable liquids is prohibited. Aboveground tanks in excess of five hundred gallons shall require double

containment in accordance with the manufacturer's specifications and shall provide protection from vehicular damage. Aboveground tanks shall not be used or dispensed in conjunction with retail sales.

(Ord. 1146 § 2, 1991; prior code § 6-3-3)

9.84.050 - Underground storage tank restrictions.

- A. Subsequent to the passage of the ordinance codified in this chapter, all tanks installed for storage of flammable liquids for retail sale shall be installed underground.
- B. Such tanks and their installation shall comply with the Uniform Fire Code, 1982 Edition.

(Ord. 841 (part), 1983; prior code § 6-3-5)

9.84.060 - Permit fees.

- A. The permit fee for the following activities or uses, including an initial inspection, shall be:

1. Installation of LPG tanks (private use only)	\$ 60.00 under 500 gallon, 100.00 over 501 gallon
2. Storage tank removal (per site)	250.00
3. Storage tanks, above ground	
(per site) under 500 gallon	60.00
Tanks 501-2,000 gallon	100.00
Tanks 2,001 gallon and above	250.00
4. Underground fiberglass tanks	
(per site, installation)	250.00
5. Underground steel tanks (per site)	250.00
6. Bowling pin or alley refinishing	75.00;
7. Carnivals/fairs	75.00
8. Combustible fiber storage	75.00

9. Dust-producing operations	75.00
10. Fumigation or thermal insecticidal fogging	75.00
11. Garages	75.00
12. High-piled combustible storage	75.00
13. Junkyards	75.00
14. Mall covered each:	75.00
a. Placing or constructing temporary kiosks, display booths, concession equipment or the like in the mall,	
b. To use a mall as a place as assembly,	
c. To use open-flame or flame-producing devices,	
d. To display any liquid or gas-fueled powered equipment;	75.00
15. Nitrate film	75.00
16. Occupant load increase	75.00
17. Open burning	30.00
18. Organic coatings	75.00
19. Ovens, industrial baking/drying	75.00
20. Spraying or dipping	75.00
21. Tents, canopies and temporary membrane structures	75.00
22. Tire recapping	75.00
23. Tire storage	75.00
24. Welding and cutting operations	75.00

B. Fees for the following plan reviews shall be:

- | | |
|----------------------------------|---------|
| 1. New construction plan reviews | 75.00; |
| 2. Sprinkler plans | 100.00; |
| 3. Alarm system plans | 100.00. |

(Ord. 1247 § 1, 1993)

Chapter 9.88 - FIREWORKS

Sections:

9.88.010 - Definitions.

The following terms shall have, for the purpose of this chapter, the following definitions:

"Indoor sales" means sales conducted inside permanent structures.

"Permanent structure" means a nonmovable building, securely attached to a foundation, housing a business licensed to sell merchandise generally, in addition to the sale of fireworks.

"Person" means an individual, company, partnership, corporation or other business entity.

"Temporary stand" means a nonpermanent structure used for the sale of fireworks.

(Ord. 854A § 1(part), 1983: prior code § 14-5-2)

9.88.020 - Dates when sale and use are permitted.

- A. Fireworks, as defined by and authorized pursuant to the Utah Fireworks Act, Utah Code Annotated Section 11-3-1, et seq., may be sold within the unincorporated portions of the county on or between June 20th and July 25th of each year; on or between December 20th and January 2nd of each year; and fifteen days before and on the Chinese New Year.
- B. Fireworks may be discharged three days prior to, on the day of, and three days following July 4th, July 24th, and January 1st of each year and the Chinese New Year.

(Ord. 854A § 1(part), 1983: prior code § 14-5-1)

9.88.030 - Sales—License required.

Except as provided in this chapter, no person shall offer for sale or sell at retail any fireworks without first having applied for and received a license to do so for each location at which the fireworks are sold or offered for sale.

(Ord. 854A § 1(part), 1983: prior code § 14-5-3)

9.88.040 - License—Application—Bond.

Applications for a license to sell fireworks shall:

- A. Be made in writing, accompanied by the license fee;
- B. Set forth the proposed location of the fireworks sales; and
- C. Include for delivery to the license official insurance certificates evidencing public liability insurance coverage in the amount of two hundred thousand dollars/four hundred thousand dollars, and property damage insurance coverage in the amount of two hundred thousand dollars. Such certificates shall designate Salt Lake County as an additional insured; and
- D. Include for delivery to the license official insurance certificates evidencing products liability insurance in an amount not less than one million dollars; and
- E. Include a statement that the applicant agrees to comply strictly with the terms of this chapter, the laws of the state and of the county, and this license as granted; and
- F. Include evidence of a current sales tax permit issued by the state of Utah.

(Ord. 854A § 1(part), 1983; prior code § 14-5-4)

9.88.050 - License—Fees.

The annual fee for a license to sell fireworks shall be three hundred dollars, which fee is in addition to the general business license fee. (1986 Recodification)

9.88.060 - Sales—Rules and regulations.

The following shall be general requirements which must be followed by all persons selling fireworks within the unincorporated portions of the county:

- A. All weeds and combustible materials shall be cleared from any sales location, including a distance of at least twenty-five feet surrounding the sales location; and
- B. A sign, bearing the message "Discharge of Fireworks Prohibited Within 100 Feet of This Location" in letters at least three inches tall, shall be conspicuously displayed at each sales location; and
- C. There shall be at least one supervisor, no younger than eighteen years of age, on duty at all times when the sale of fireworks is in progress. Such supervisor shall remain near the sales location at all times unless suitable locking devices are provided to prevent the unauthorized access to the merchandise by others, or unless the merchandise is removed; and
- D. All fireworks shall be effectively kept away from any kind of self-service by the public unless the fireworks are prepackaged and kept in the original package; and
- E. The license authorizing the sale of fireworks and a copy of the sales tax permit used by the licensee shall be available for inspection by public safety personnel; and
- F. Fireworks shall not be sold to any person under the age of sixteen years, unless such person is accompanied by an adult; and
- G. The storage of fireworks for sale shall not be located in residential areas; and
- H. Smoking shall not be permitted within fifty feet of any fireworks, either on display for retail sale or being stored. "Smoking Prohibited Within 50 Feet" (or similar wording) signs shall be conspicuously posted at all sales and storage locations; and
- I. A sign indicating the legal dates for the discharge of fireworks shall be posted at all fireworks sales locations in such a position as to be clearly visible to the general public; and

- J. All retail sales locations shall be equipped with at least a portable fire extinguisher having a combined rating of no less than 2A:10BC, approved by a recognized testing laboratory; and
- K. No amount of retail storage or retail sales of fireworks shall, by its presence, create a distinct hazard to any person or property.

(Ord. 854A § 1(part), 1983: prior code § 14-5-5)

9.88.070- Temporary fireworks stands.

Retail sales of fireworks shall be permitted from within a temporary fireworks stand. Sales from such temporary stands shall be subject to the following regulations:

- A. All fireworks stands shall be located in C-2, C-3 or M1 zones, or any other zones that future changes made by zoning ordinances provide, no closer than twenty-five feet from any other fireworks stand or any unit used for the storage or dispensing of any flammable substance; and
- B. Fireworks stands need not comply with the provisions of the Uniform Building Code, but all such stands shall be erected in a manner that will reasonably assure the safety of occupants and patrons; and
- C. Each stand up to twenty-four feet in length must have at least two exits. Each stand in excess of twenty-four feet in length must have at least three exits. All exits shall be spaced at approximately equal distances apart. Exit locking devices, if any, shall be easily released from the inside without special knowledge, key or effort; and
- D. Each stand shall maintain a two and one-half gallon 2A rated water-pressure type fire extinguisher or an ABC minimum 2A:10BC rated fire extinguisher near each exit, and such extinguishers shall be kept in good working order and shall be easily accessible for use; and
- E. Two signs, each sign bearing the message "No Smoking Within 50 Feet of This Stand" in letters at least three inches tall, shall be displayed on each and every side of a fireworks stand; and
- F. Fireworks stands shall be removed within seven days after retail sales shall cease and the licensee shall clean the site upon which the temporary stand was formerly located; and
- G. Prior to the issuance of a license for a temporary stand, each applicant shall file with the license official a cash deposit, irrevocable letter of credit or a surety bond made payable to Salt Lake County in the amount of one hundred fifty dollars for each temporary stand to be operated by the applicant. Such deposit, letter or bond shall assure compliance with the provisions of this section, including but not limited to the removal of the stand and the cleaning of the site upon which it was located, in accordance with the requirements of this chapter. In the event the licensee does not comply with the provisions of this chapter, remove the stand or clean the site as required, the county may do so or cause the same to be done, and the reasonable cost thereof shall be charged against the licensee and the deposit, letter of credit or surety bond; and
- H. Each temporary stand shall have a minimum three-foot-wide, unobstructed aisle running the length of the stand, inside and behind the sales counter; and
- I. Any pass-through openings for the sales of fireworks in temporary stands shall be arranged to permit the customer to view the merchandise for sale, but shall prevent the touching or handling of non-prepackaged fireworks by the customer; and
- J. In the event that that the temporary stand is used for the overnight storage of fireworks, it shall be equipped with suitable locking devices to prevent unauthorized entry; and
- K. No person shall sleep in a temporary fireworks stand.

(Ord. 854A § 1 (part), 1983: prior code § 14-5-7)

9.88.080 - Indoor sales restrictions.

The following requirements shall be specifically applied to any indoor sales locations:

- A. In all retail sales locations in permanent structures where fireworks are sold, the area where fireworks are displayed or stored shall be at least fifty feet from any flammable liquid or gas, or from any other highly combustible material. Fireworks shall not be stored, including stock for sale, near any exit doorways, stairways, or in any location that would impede egress; and
- B. Fireworks shall be stored, handled, displayed and sold only as units in their original packaging; and
- C. Fireworks inside buildings shall be displayed with regard to the following restrictions:
 - 1. Up to two hundred fifty pounds of fireworks: Display of fireworks is unrestricted;
 - 2. From two hundred fifty-one pounds to five hundred pounds of fireworks: Display of fireworks must be within constant visual supervision of sales personnel; and
 - 3. In excess of five hundred pounds of fireworks: Display of fireworks must be constantly attended by a salesperson.

(Ord. 854A § 1 (part), 1983: prior code § 14-5-6)

9.88.090 - Discharge restrictions.

It is unlawful for any person to:

- A. Discharge a firework within one hundred feet of any fireworks sales location; and
- B. Ignite, explode, project or otherwise fire or use, or permit the ignition, explosion or projection of any fireworks upon or over or onto the property of another; and
- C. Ignite, explode or otherwise make use of any fireworks within twenty feet of any residence, dwelling or other structure.

(Ord. 854A § 1 (part), 1983: prior code § 14-5-8)

9.88.100 - Repeal of conflicting provisions.

All ordinances or provisions thereof which are in conflict with this chapter are hereby repealed to the extent of such conflict.

(Ord. 854A § 1 (part), 1983: prior code § 14-5-10)

Chapter 9.90 - FIRE RESTRICTIONS IN WILDLAND-SUBURBAN INTERFACE AREAS

9.90.010 - Findings.

The council finds that certain wildland-suburban interface areas exist in the unincorporated county and that preservation of public health, safety and welfare requires the restriction of fireworks, smoking and other fires in such areas and certain surrounding areas as specified below, to reduce the risk of potentially devastating wildfires in the county.

(Ord. No. 1768, § I, 6-3-2014)

9.90.020 - Definitions.

- A. As used in this chapter, the term "wildland-suburban interface areas" shall mean ravines, gullies, hillsides, vacant land, or mountainous areas where natural vegetation exists (including oak brush, conifers, sage brush, and other indigenous trees and plants), such that a distinct fire hazard is clearly evident to a reasonable person, and where that area is within a township created in the unincorporated area of the county, pursuant to state statute.
- B. Without limiting the foregoing, "wildland-suburban interface areas" shall also include those areas designated within a township as a fire hazard on an annual basis by the Unified Fire Authority on maps conveyed to and approved by the council in an open meeting and posted and made available on the county's website and in the offices of the county clerk.

(Ord. No. 1768, § I, 6-3-2014)

9.90.025 - Wildland-Urban Interface Code.

- A. The Utah Wildland-Urban Interface Code, 2006 Edition, published by the International Code Council, is hereby adopted as the Wildland-Urban Interface Code of Salt Lake County for the regulation and governance of the mitigation of hazard to life and property from the intrusion of wildland exposure, fire from adjacent structures, and prevention of structure fires from spreading to wildland fuels in Salt Lake County.
- B. Utah Wildland-Urban Interface Code, 2006 Edition, published by the International Code Council, together with any future amendments thereto shall, be maintained as public records in the Salt Lake County Public Works Department, Planning and Zoning Development Services Division of Salt Lake County are incorporated as a part of this Section.

(Ord. No. 1811, § II, 4-18-2017)

9.90.030 - Fire restrictions.

- A. The following restrictions on open flames and smoking are imposed on, over and within 300 feet of all wildland-suburban interface areas:
 - 1. Setting, building, maintaining, attending or using open flames of any kind is prohibited, except campfires built within the facilities provided for them in improved campgrounds, picnic areas or permanently improved places of habitation; and
 - 2. Smoking is prohibited, except within an enclosed vehicle or building, a developed recreation site or while stopped in the center of an area of at least ten feet in diameter that is barren or cleared to mineral soil or is covered by concrete or asphalt.
- B. The following restrictions on fireworks, tracer ammunition or other pyrotechnic devices are imposed:
 - 1. Discharging or using any kind of aerial device firework, tracer ammunition or other pyrotechnic devices on, over or within three hundred feet of any wildland-suburban interface area is prohibited; and
 - 2. Discharging or using any kind of class C common state-approved explosives on, over or within fifty feet of any wildland-suburban interface area is prohibited.
- C. The following definitions are applicable to this section:
 - 1. "Class C common state-approved explosives" is as defined in section 53-7-202(5), Utah Code Annotated, as amended.
 - 2. "Aerial device firework" is as defined in sections R710-2-2(2.2) and R710-2-6(6.3.1), Utah Administrative Rules, as amended.

(Ord. No. 1768, § I, 6-3-2014)

9.90.040- Exemptions.

The following persons are exempt from the prohibitions in section 9.90.030:

- A. Persons with a permit from the county, from the state of Utah or the United States of America, specifically authorizing the prohibited act at the specific location; and
- B. Any county, state or federal firefighting officer or firefighting forces, including the Unified Fire Authority, or any peace officer, in the performance of an official duty.

(Ord. No. 1768, § I, 6-3-2014)

9.90.050- Penalty.

Each violation of this chapter shall be a Class B misdemeanor.

(Ord. No. 1768, § I, 6-3-2014)

Chapter 9.92- PYROTECHNICS AND EXPLOSIVES

Sections:

9.92.010- Definitions.

As used in this chapter:

"Explosive" or "explosives" means and includes any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion, or that contains any oxidizing and combustible units or other ingredients in such proportion, quantity or packing that an ignition by fire, friction, concussion, percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

"Pyrotechnics" means any squib, firecracker, roman candle, signal light, flashlight composition, fire balloon with burning material attached thereto, or other device or composition used to obtain visible or audible pyrotechnic display, and shall include fireworks except those defined by and authorized pursuant to the Utah Fireworks Act, Utah Code Annotated, Section 11-3-1 et seq.

(Prior code § 16-10-1)

9.92.020- Sale or use of pyrotechnics prohibited—Exceptions.

No person shall have, keep, store, use, manufacture, sell, offer for sale, handle or transport any pyrotechnics; provided, however:

- A. That nothing in this chapter shall be held to apply to the possession or use of signaling devices for consumption by railroads and others requiring them;
- B. That nothing in this chapter shall be held to apply to the possession, sale or use of normal stocks of flashlight compositions by photographers or dealers in photographic supplies.

(Prior code § 16-10-2)

9.92.030 - Public display—Permit required—Fee.

- A. The mayor may, upon written application and the posting of a suitable bond or the filing of a public liability insurance policy in amounts to be determined by the mayor, grant a permit for the public display of pyrotechnics by religious, educational, fraternal or civic organizations, fair associations, amusement parks, or other organizations or groups of individuals. After such permit shall have been granted, sales, possession, use and distribution of pyrotechnics for such display shall be lawful for that purpose only.
- B. The permit fee for public display of pyrotechnics shall be fifty dollars.

(Ord. 1473 (part), 2001; Ord. 1140 § 6, 1990; prior code § 16-10-3)

9.92.040 - Public display—Permit—Application.

All applications for permission to operate a public display of pyrotechnics shall be in writing and shall set forth:

- A. The name of the organization or person sponsoring the display, together with the name, age and qualifications of persons actually in charge of firing the display;
- B. The date and time of day at which the display is to be held;
- C. The exact location planned for the display;
- D. The manner and place of storage of fireworks prior to the display.

(Prior code § 16-10-4)

9.92.050 - Public display—Location and procedures.

- A. The actual point at which the fireworks are to be fired shall be at least two hundred feet from the nearest permanent building, public highway or railroad, and fifty feet from the nearest telegraph, telephone or electric power pole or line, tree, or other overhead obstruction.
- B. Spectators shall be restrained behind lines at least two hundred feet from the point at which the pyrotechnics are discharged.
- C. All pyrotechnics that fire a projectile shall be so set up that the projectile will go into the air as nearly as possible in a vertical direction. In no event shall such pyrotechnics be set off so as to cause the projectile to go in the direction of or over the spectators.

(Prior code § 16-10-5)

9.92.055 - Permit fees.

Fees for permits required pursuant to Articles 77, 78 and 80 of the Uniform Fire Code shall be as follows:

A. Article 77—Explosives:

- 1. Explosive blasting permit, single event \$150.00
- 2. Explosive blasting permit. (Yearly) Each event must have a short form filed. 300.00

B. Article 78:

1. Fireworks aerial display (Single event, large amount of explosives) \$75.00

C. Article 80—Hazardous materials permits:

1. Hazardous materials permit (short form) \$ 25.00

2. Storage 75.00

3. Dispensing and use 125.00

4. Production and processing 175.00

Each of the permits referenced above shall be issued for a twelve-month period effective from the date of issuance.

(Ord. 1247B § 5, 1993)

Chapter 9.94 - COST RECOVERY—FIRE DEPARTMENT

Sections:

9.94.010 - Purpose.

This chapter shall provide procedures for recovering costs incurred by the county for assistance rendered by the county in responding to hazardous materials emergencies, aggravated fire emergencies and aggravated emergency medical responses.

(Ord. 1166 § 1 (part), 1991)

9.94.020 - Definitions.

As used in this chapter:

"Aggravated fire emergency" means:

1. A fire proximately caused by the owner or occupier of property or a structure, which presents a direct and immediate threat to public safety and requires immediate action to mitigate the threat, and the fire:
 - a. Is caused or contributed to by the failure to comply with an order from any county agency, department or official, or
 - b. Occurs as a direct result of a deliberate act in violation of the ordinances or regulations of the county, or
 - c. Is caused by arson;
2. An alarm that results in a county fire unit being dispatched, and the person transmitting, or causing the transmission of, the alarm, knows at the time of said transmission that no fire or fire related emergency exists.

"Aggravated medical emergency" means an alarm that results in a county fire unit or a county emergency medical unit being dispatched, and the person transmitting, or causing the transmission of, the alarm, knows at the time of said transmission that there are no reasonable grounds for believing that a medical emergency exists.

"Expenses" means the actual costs of government and volunteer personnel including worker's compensation benefits, fringe benefits, administrative overhead, costs of equipment, cost of equipment operation, costs of materials, costs of disposal and the cost of any contract labor and materials.

"Hazardous materials emergency" means a sudden or unexpected release of any substance that, because of its quantity, concentration or physical, chemical or infectious characteristics, presents a direct and immediate threat to public safety or the environment and requires immediate action to mitigate the threat.

(Ord. 1166 § 1 (part), 1991)

9.94.030 - Recovery authorization and procedure.

- A. The county is hereby empowered to recover expenses incurred by virtue of the county's response to a hazardous materials emergency, aggravated fire emergency or an aggravated medical emergency from any person, corporation, partnership or other individual or entity who caused such an emergency, pursuant to the following procedure:
 - 1. The county fire department shall determine responsibility for the emergency or response as defined above and notify the responsible party by mail of the department's determination of responsibility and the expenses to be recovered.
 - 2. The notice shall specify that the determined responsible party may appeal the department's decision before a hearing officer designated by the council and establish a date by which the notice of appeal shall be filed. The appeal date shall be no less than fifteen days from the date of the notice.
- B. In the event the determined responsible party appeals the determination, the hearing officer shall hold a hearing to consider any issues raised by the appeal, at which hearing the appealing party and the county shall be entitled to present evidence in support of their respective positions.
- C. After the hearing, the hearing officer shall make a recommendation to the council which shall issue a decision determining responsibility and assessing expenses. The council may adopt, modify or remand the recommendation of the hearing examiner for further proceedings. The council may, in its sole discretion, hear additional evidence prior to issuing its decision.

(Ord. 1473 (part), 2001; Ord. 1166 § 1 (part), 1991)

9.94.040 - No admission of liability.

The payment of expenses determined owing under this chapter does not constitute:

- A. An admission of liability or negligence in any legal action for damages; or
- B. A criminal fine.

(Ord. 1166 § 1 (part), 1991)

9.94.050 - Action to recover expenses.

In the event the parties determined to be responsible for the repayment of expenses incurred due to the county's response to such an emergency fail to make payment to the county within thirty days after a final administrative determination of any appeal to the county or thirty days from the deadline for appeal in the event no appeal is filed, the county may initiate legal action to recover from the determined responsible parties the expenses determined to be owing, including the county's reasonable attorney's fees.

(Ord. 1166 § 1 (part), 1991)

Chapter 9.96 - PUBLICLY-OWNED SOLID WASTE MANAGEMENT FACILITIES—REGIONAL RESTRICTION

Sections:

9.96.010 - Definitions and interpretation of language.

For the purpose of this chapter, certain words and terms are defined as set out in this chapter. Words used in the present tense include the future; words in the singular number include the plural and the plural the singular.

(Ord. 1176 § 1 (part), 1992)

9.96.020 - Person.

"Person" means any individual, unincorporated association, partnership, corporation or any other legal entity.

(Ord. 1176 § 1 (part), 1992)

9.96.030 - Public entity.

"Public entity" means the county, a municipality, or a special district or solid waste authority created pursuant to state law.

(Ord. 1176 § 1 (part), 1992)

9.96.040 - Publicly-owned solid waste management facility.

"Publicly-owned solid waste management facility" means any facility owned or operated by a public entity, employed for solid waste management including, but not limited to, transfer stations, transport systems, baling facilities, landfills, processing systems, including resource recovery facilities or other facilities for reducing solid waste volume, plants and facilities for compacting, composting or pyrolyzation of solid waste, incinerators and other solid waste disposal, reduction or conversion facilities, and facilities for resource recovery of energy consisting of (a) facilities for the production, transmission, distribution and sale of heat and steam, and (b) facilities for the generation and sale of electric energy to a public utility or municipality or other public entity which owns and operates an electric power system, and for the generation, sale and transmission of electric energy on an emergency basis only to a military installation in the United States; provided, that solid waste management facilities shall not constitute a public utility as defined in Section 54-2-1, Utah Code.

(Ord. 1176 § 1 (part), 1992)

9.96.050 - Salt Lake County.

"Salt Lake County" means the geographical boundaries of the county as established by state law.

(Ord. 1176 § 1 (part), 1992)

9.96.060 - Solid waste.

"Solid waste" means any garbage, refuse, sludge (including sludge from the waste treatment plant, water supply treatment plant, or air pollution control facility) or other discarded material, including solid, liquid, semisolid or contained gaseous material resulting from industrial, commercial, mining or agricultural operations and from community activities, but does not include solid or dissolved materials in domestic sewage or in irrigation return flows or discharges for which a permit is required under Chapter 11, Title 26, or under the federal Water Pollution Control Act, 33 U.S.C., Section 1251, et seq.

"Discarded material" shall include, but not be limited to, abandoned material, spent material, by products, materials which are accumulated, stored, or treated before abandonment, materials which are used in a manner constituting disposal, and materials which are inherently waste-like. This provision shall be interpreted and applied in a manner which is consistent with the provisions of 40 CFR Section 261 pertaining to the determination of a "solid waste" regardless of whether the material is regulated under RCRA Subtitle C.

(Ord. 1176 § 1 (part), 1992)

9.96.070 - Acceptance of waste prohibited.

- A. Solid waste generated outside of the State of Utah shall not be accepted at any publicly-owned solid waste management facility located within the geographical limits of Salt Lake County.
- B. Solid waste generated outside of Salt Lake County, but from within the State of Utah shall not be accepted at any publicly-owned solid waste management facility located within the geographical limits of Salt Lake County without the prior authorization of the Utah Department of Environmental Quality, and the Salt Lake County Health Department.
- C. No publicly-owned solid waste management facility is obligated to accept solid waste generated outside of Salt Lake County.

(Ord. 1176 § 1 (part), 1992)

(Ord. No. 1837, § II, 8-21-2018)

9.96.080 - Prohibited wastes.

- A. No publicly-owned solid waste management facility located within Salt Lake County shall accept any listed or hazardous waste which is required to be disposed of at a permitted hazardous waste treatment storage and disposal facility pursuant to any state or federal statute or regulation.
- B. Each publicly-owned solid waste management facility located within the county may, consistent with local ordinances, prohibit the disposal of specified wastes, and may adopt handling, disposal and fee requirements for all other solid wastes.

(Ord. 1176 § 1 (part), 1992)

9.96.090 - Unlawful activity.

It is unlawful for any person to dispose of any solid waste generated outside of Salt Lake County at a publicly-owned solid waste management facility located in Salt Lake County unless specifically exempted pursuant to the provisions of Section 9.96.100.

(Ord. 1176 § 1 (part), 1992)

9.96.100 - Exceptions.

- A. Notwithstanding the provisions of Section 9.96.070, any person desiring to dispose of solid waste generated outside of the county's boundaries at a publicly-owned solid waste management facility may file a written petition with the facility, requesting a temporary waiver from the provisions of Section 9.96.070.

The petition shall state with specificity:

1. The event, circumstance or occurrence prompting the request;
 2. Other alternatives considered or available for the disposal of the waste;
 3. The type and characteristics of the solid waste;
 4. The total weight and amount of the solid waste;
 5. The reasons the applicant feels the facility would be justified in waiving the provisions of Section 9.96.070;
 6. The petition shall include a manifest for the solid waste which states its place of origin, the source or process from which the waste was generated and the person firm or company which generated the waste, and the amount and quantity of the waste. The manifest must be clear on its face that the solid waste sought to be disposed of is not a hazardous waste as defined by state or federal law.
- B. A publicly-owned solid waste management facility may grant a waiver to the provisions of Section 9.96.070 only upon the following conditions:
1. The applicant must agree to the payment of all applicable fees.
 2. The waste must be of the same type and character of the solid waste that is approved and accepted for disposal at the site in accordance with the operating policies of the facility.
 3. The waiver must be in writing, temporary, and for a specified occurrence, event or period of time.
 4. The facility must find that: (a) the type and the amount of waste will not have a substantial detrimental or adverse impact on the facility's ability to provide solid waste services to the residents of the county, (b) the acceptance of the waste will not compromise or have a substantial adverse effect on either the county's or the state's comprehensive solid waste master plan, with special consideration given to the disposal capacity elements of the plans, and (c) an extraordinary and exceptional condition exists, which the strict application of the provisions of this chapter would result in exceptional and undue hardships to the applicant. Financial impact, by itself, shall not be grounds to find undue hardship.
- C. A publicly-owned solid waste management facility may grant an exception from the provisions of Section 9.96.070 to a soils regeneration facility, which is operated by or under contract with a publicly-owned solid waste management facility, to produce daily cover or other material for the facility. The solid waste management facility may impose such conditions and limitations it deems reasonable on the soils regeneration facility, consistent with both the declared purposes of this chapter and the facility's need for the material, including, but not limited to, tipping fees, time limitations, and the type, origin and quantity of out-of-county waste that may be accepted by the soils regeneration facility.

In addition, the publicly-owned solid waste management facility must also find that: (a) the type and amount of waste will not have a substantial detrimental or adverse impact on the facility's ability to provide solid waste services to the residents of the county, and (b) the acceptance of the waste will not compromise or have a substantial adverse effect on either the county's or the state's comprehensive solid waste plan, with special consideration given to the disposal capacity elements of the plans. Such exceptions shall be reviewed at least annually and may be reviewed more frequently as determined necessary or desirable by the facility.

(Ord. 1176 § 1 (part), 1992)

9.96.110- Sanctions.

In the event that any person delivers solid waste to any publicly-owned solid waste management facility in violation of this chapter, the facility may, in addition to any penalty provided by this code, serve the person with a notice of violation and:

- A. Deny any or all vehicles operated by the person, regardless of the origin of waste being carried, access to any publicly-owned solid waste management facility located in the county for a period not to exceed sixty days for each such violation.
- B. Impose a civil penalty in an amount not to exceed one thousand dollars for each such violation.
- C. Impose both a civil penalty and deny access as provided in Subsections A and B of this section.

(Ord. 1176 § 1 (part), 1992)

9.96.120- Administrative review.

Upon receiving notice of denial of access or imposition of civil penalty, the person may request a hearing by filing a written appeal with the facility issuing the notice within seven calendar days of the date of receiving notice of the proposed denial of access and/or civil penalty.

A hearing shall be held before the management council of the facility or a hearing examiner appointed by the council within ten days of the date of receipt of the request for hearing. The person requesting the hearing shall be notified by the management council in writing of the date, time and place of the hearing. The person requesting the hearing may appear in person or through an officer, agent or attorney and present evidence in the person's behalf and examine and cross-examine witnesses. The council will receive oral and documentary evidence, but shall exclude all privileged, irrelevant, immaterial or repetitive evidence. The hearing shall be recorded and a tape of the proceedings shall be kept by the council.

The decision of the council shall be forwarded to the mayor or other executive body of each political subdivision involved in the operation of the publicly-owned solid waste management facility. The decision of the council shall be final unless it is modified, reversed or amended within ten days by a majority of the executive officers of the political subdivisions operating the solid waste management facility. In the event only two political subdivisions operate the solid waste management facility, the decision of the council shall be final unless it is unanimously modified, reversed or amended by the political subdivisions within ten days of the council's decision.

(Ord. 1176 § 1 (part), 1992)

9.96.130- Order.

In the event that no request for a hearing is timely filed, the facility shall prepare a final order and impose the sanctions set forth in the notice of violation. A copy of all final orders issued by the facility shall be mailed to the person and all other publicly-owned solid waste management facilities located in the county.

(Ord. 1176 § 1 (part), 1992)

9.96.140- Violation—Penalty.

In addition to the preceding sanctions, each violation of this chapter shall be a Class B misdemeanor. Each violation shall be considered a separate offense.

(Ord. 1176 § 1 (part), 1992)

9.96.150- Applicability.

Nothing contained in this chapter is intended to restrict the acceptance of solid waste by privately-owned and operated commercial landfills or privately-owned and operated waste management facilities located in Salt Lake County, nor does this chapter regulate the operations of any such facility.

(Ord. 1176 § 1 (part), 1992)

**Salt Lake County
Health Regulation
#13**

WASTEWATER DISPOSAL

**Adopted by the Salt Lake County Board of Health
February 6, 1986**

**Amended:
August 3, 2006
September 5, 2013
November 7, 2024**

**Under Authority of
Utah Code Ann. §§ 26A-1-109(8), 26A-1-114, 26A-1-121(2)**

1. PURPOSE & APPLICABILITY OF REGULATION

- 1.1. The purpose of this Regulation is to provide for the health, safety, and general welfare of the citizens of Salt Lake County and protect the environment through the regulation of illegal discharge of wastewater and pollutants to the maximum extent practicable as required by federal, state, and local law.
- 1.2. This Regulation establishes methods for controlling pollution as defined herein. The objectives of this Regulation are:
 - 1.2.1. To mandate connections of buildings to a public sewer system when the sewer is available to property;
 - 1.2.2. To permit and regulate the installation and use of onsite wastewater systems, alternative onsite wastewater systems, wastewater holding tanks and pressure-distribution systems;
 - 1.2.3. To require and regulate toilet facilities; and
 - 1.2.4. To prohibit the illegal discharge of wastewater.

2. DEFINITIONS

For the purposes of this Regulation, the following terms, phrases, and words shall have the meanings herein expressed:

- 2.1. “Absorption system” means a device constructed to receive and to distribute effluent in such a manner that the effluent is effectively filtered and retained below ground surface.
- 2.2. “Alternative onsite wastewater system” means an onsite wastewater system utilizing a treatment process or absorption system that is not utilized in a conventional onsite wastewater system. Treatment processes may include packed bed media, or a membrane bioreactor. Absorption systems may include At-Grade, Mound, Sand Lined Trench, or Drip Irrigation. Alternative systems are utilized when a conventional system could not be installed to meet regulatory requirements or when part of a Drinking Water Source Protection Plan.
- 2.3. “At-grade system” means an alternative onsite wastewater system where the bottom of the absorption system is placed at or below the elevation of the existing site grade, and the top of the distribution pipe is above the elevation of existing site grade, and the absorption system is contained within fill that extends above that grade.
- 2.4. “Black water” means wastewater contaminated by human body waste, toilet paper, and any other material intended to be deposited in a receptor designed to receive urine or feces.

- 2.5. “Board” means the Salt Lake County Board of Health.
- 2.6. “Contract Service Provider” means any individual that-oversees the routine maintenance, operation, and sampling of an alternative onsite wastewater system or pressure distribution system.
- 2.6.1. A Contract Service Provider shall be Level 3 Certified Onsite System Professional in accordance with Utah Administrative Code R317-11.
- 2.7. “Conventional onsite wastewater system” means an onsite wastewater system which consists of a building sewer, a septic tank, and an absorption system utilizing absorption trenches, absorption beds, deep wall trenches or seepage pits.
- 2.8. “Department” means the Salt Lake County Health Department (SLCoHD).
- 2.9. “Director” means the Director of the Salt Lake County Health Department or his or her designated representative.
- 2.10. “Discharge” means the accidental or intentional releasing, spilling, leaking, pumping, pouring, emitting, emptying, or dumping of any solid waste or solid waste constituents, wastewater, including leachate, into or on any air, land, or water.
- 2.11. “Human waste” means the waste produced by the human body; including but not limited to urine or fecal matter or both.
- 2.12. “Liquid Waste Hauler” means a person with a waste water tank in or on the vehicle or trailer with the ability to haul sludge, liquid waste, semi-liquid waste, or used oil.
- 2.13. “Malfunctioning or failing system” means an onsite wastewater system that is not functioning in compliance with the requirements of this regulation and may include:
- 2.13.1. Absorption systems that seep or flow to the surface of the ground or into waters of the state;
- 2.13.2. Systems that overflow from any of their components;
- 2.13.3. Systems that, due to failure to operate in accordance with their designed operation, cause backflow into any portion of a building drainage system;
- 2.13.4. Systems discharging effluent that does not comply with applicable effluent discharge standards;
- 2.13.5. Leaking septic tanks; or
- 2.13.6. Noncompliance with standards stipulated on or by the construction permit, operating permit, or both.

- 2.14. “Membrane Bioreactor” means an alternative onsite wastewater system that includes both biological processes and mechanical filtration processes to treat septic tank effluent before discharge to an absorption system. A membrane bioreactor unit includes a balance tank, an aeration tank and a filtration tank. All tanks are interconnected with aeration pumps and recirculation lines.
- 2.15. “Mound system” means an alternative onsite wastewater system where the bottom of the absorption system is placed above the elevation of the original site, and the absorption system is contained in a mounded fill body above that grade.
- 2.16. “Onsite Wastewater System” means an underground wastewater disposal system that is designed for capacity of 5,000 gallons per day or less, and is not designed to serve multiple dwelling units owned by separate owners except condominiums. It usually consists of a building sewer, a septic tank and an absorption system.
- 2.17. “Operating Permit” means the permit that authorizes the operation and maintenance of an alternative onsite wastewater system, pressurized distribution and/or a wastewater holding tank.
- 2.18. “Owner” means any person who alone, jointly, or severally with others:
- 2.18.1. Has legal title to any onsite wastewater system or premises, with or without accompanying actual possession thereof; or
 - 2.18.2. Has charge, care, or control of any onsite wastewater system or premises, as legal or equitable owner, tenant, licensee, or agent of the owner, or an executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the owner.
- 2.19. “Packed Bed Media System” means an alternative onsite wastewater system that uses natural or synthetic media to treat wastewater. Biological treatment is facilitated via microbial growth on the surface of the media. The system may include a pump tank and/or a recirculation tank.
- 2.20. “Person” means any individual; public or private corporation and its officers, partnership, association, firm, trustee, executor of an estate; the state or its departments, institutions, bureaus, or agencies; any municipal corporation, county, city, political subdivision; or any other legal entity recognized by law.
- 2.21. “Pressure Distribution” means a method designed to uniformly distribute effluent under pressure within an absorption system.
- 2.22. “Pollution” means such contamination, or other alternation of the physical, chemical, or biological properties of any waters of the state, or such discharge of any liquid, gaseous or solid substance into any waters of the state as will create a nuisance or render such

waters harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

- 2.23. “Publicly-Owned Treatment Works” or “POTW Entity” means a political subdivision of the State of Utah located entirely or partly within Salt Lake County which owns and/or operates a facility for the treatment of sewage whereby sewage is rendered less harmful or objectionable or less of a health hazard.
- 2.24. “Sewage” means a combination of the liquid or water-carried wastes from residences, business buildings, institutions, and other establishments with installed plumbing facilities, together with those from industrial establishments, and with such ground water, surface water, and storm water as may be present.
- 2.25. “Sewer or Sewer System” means pipes, channels, or other facilities used for the collection, transmission, treatment, and/or disposal of sewage by a POTW.
- 2.26. “Sewer Connection Availability” means approval from a sewer district for the connection to an approved sewer system.
- 2.27. “Substance” means any physical matter, including any solid, liquid, or gas whatsoever.
- 2.28. “Surface Water” means any water running, standing, or found on or within five inches of the surface of the ground.
- 2.29. “Unapproved System” means any onsite wastewater system that is deemed by the Department to be any installation, repair, or alteration to any existing system without the required regulatory oversight, permits, or inspections.
- 2.30. “Waste” or “Pollutant” means dredged soil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water.
- 2.31. “Wastewater” means sewage, industrial waste, or other liquid or waterborne substances causing or capable of causing pollution of waters of the state. Intercepted groundwater which is uncontaminated by wastes is not included.
- 2.32. “Wastewater holding tank” means a watertight receptacle designed to receive and store wastewater to facilitate treatment at another location.
- 2.33. “Waters of the State” means (a) all streams, lakes, ponds, marshes, water-courses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or border upon this state or any portion of the state; and (b) does not include bodies of water confined to and retained within the limits

of private property, and which do not develop into or constitute a nuisance, or a public health hazard, or a menace to fish or wildlife.

2.34. “Watershed Area” means the area defined in the Department’s Health Regulation #14, Watersheds.

2.35. “Watershed Letter” means written approval under the Department’s Regulation #14, Watersheds, section 4.5.

2.36. “Watershed Septic System” means a septic system located within a Watershed Area and designed to meet the specifications of section 4.8 of this regulation.

3. GENERAL PROVISIONS

3.1. Jurisdiction of the Department.

3.1.1. This Regulation is promulgated by the Salt Lake County Board of Health as authorized by Utah Code Ann. § 26A-1-121(1), and Chapter 9.04, Salt Lake County Code of Ordinances.

3.1.2. The Department is empowered to enforce this Regulation in all incorporated and unincorporated areas served by the Department as authorized by Utah Code Ann. § 26A-1-114(1) (a), and Chapter 9.04, Salt Lake County Code of Ordinances.

3.2. Except as otherwise provided, it shall be unlawful for any person not to comply with any regulation promulgated by the Department unless granted an express variance by the Salt Lake County Board of Health.

3.3. Compliance with this Regulation does not constitute a defense if charged with any environmental crime or violation of any local, state, or federal law.

3.4. Legal action taken by the Department under this Regulation does not preclude prosecution for any environmental crime that may have been committed or violation of any other local, state, or federal law.

3.5. Nothing in this Regulation affects or modifies in any way the obligations or liability of any person under any other Regulation or provision thereof issued by the Department, any ordinance issued by Salt Lake County or any municipality located within Salt Lake County, or any state or federally issued law, including common law. However, Departmental Regulations supersede other existing local and county standards, Regulations and ordinances pertaining to similar subject matter that are inconsistent.

3.6. **Severance.** If any section, subsection, sentence, clause, or phrase of this Regulation is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Regulation.

4. SUBSTANTIVE PROVISIONS

4.1. **Allowed Onsite Wastewater Systems.** Only systems approved under Utah Administrative Code R317-4 are allowed in Salt Lake County.

- 4.1.1. **Membrane Bioreactors.** Membrane bioreactor components shall only be installed inside a service building or underground outside a residence. Any service building constructed for housing any membrane bioreactor shall be at least 5 feet from any dwelling and shall be structurally sound and shall be insulated to maintain an appropriate operating temperature. The service building shall never be constructed above the septic tank.
- 4.1.2. **Experimental Systems.** Systems not approved under R317-4 may be considered on a case-by-case basis following the requirements of Utah Administrative Code R317-4-9 Experimental Systems. Experimental Systems are not allowed within Watershed Areas.

4.2. Permits Required.

- 4.2.1. **Department Approval and Onsite Wastewater Permit Required.** No person shall install, construct, alter, replace, enlarge, extend, or otherwise modify any onsite wastewater system unless a valid onsite wastewater permit or alternative onsite wastewater system permit is issued by the Department. No person shall construct, occupy, or own a building that has an onsite wastewater disposal system; install or replace a wastewater holding tank, replace an existing septic tank, replace an existing absorption system, or remodel a building to which an onsite wastewater system is connected in such a way that increases the bedroom count without prior written approval and a corresponding valid Onsite Wastewater Permit.
- 4.2.2. **Conventional Onsite Wastewater Permit Application.**
 - (i) To apply for a Conventional Onsite Wastewater Permit when constructing a building that has an onsite wastewater disposal system or to replace an existing absorption system, the applicant shall:
 - a. Submit a completed Department provided application form;
 - b. Pay all the applicable fees;
 - c. Submit written documentation from the sewer district which has jurisdiction where the property is located, stating that sewer service is not available;

- d. Submit written documentation of drinking water availability. If a public water system is providing water service, a letter of availability shall be provided. If an individual water system is providing water service, documentation that the system meets the quality, quantity and pressure requirements of Health Regulation #11 shall be provided;
 - e. Cause percolation tests and soil explorations to be performed by a certified professional in the areas of the primary and replacement absorption system. At least 24 hours prior to performing the tests, the Department shall be notified of the day and time the tests will be performed to give the Department the opportunity to witness the tests; and
 - f. Submit completed plans and specifications pursuant to Utah Administrative Code R317-4-5 to the Department. Plans, percolation tests and/or soil classifications must be performed and designed by a person who is certified as required under Utah Administrative Code R317-11.
- (ii) To apply for an Onsite Wastewater Permit when remodeling a building to which an existing onsite wastewater system is connected in such a way that increases the bedroom count, the applicant shall submit to the Department properly prepared drawings, engineering reports, and design criteria for review and approval.

4.2.3. Alternative Onsite Wastewater System or Pressure Distribution Permit Application.

- (i) To apply for an Alternative Onsite Wastewater System or Pressure Distribution Permit when constructing a building that has an alternative onsite wastewater system or to replace an existing absorption system, the applicant shall:
 - a. Submit a completed Department-provided application form;
 - b. Pay all the applicable fees;
 - c. Submit written documentation from the sewer district which has jurisdiction where the property is located, stating that sewer service is not available;
 - d. Submit written documentation of water availability. If a public water system is providing water service, a letter of availability shall be provided. If an individual water system is providing water service, documentation that the system meets the quality, quantity, and pressure requirement of Health Regulation #11 shall be provided;

- e. Cause percolation tests and soil explorations to be performed by a certified professional in the areas of the primary and replacement absorption systems. At least 24 hours prior to performing the tests, the Department shall be notified of the day and time the tests will be performed to give the Department the opportunity to witness the tests;
 - f. Submit a completed plans and specifications pursuant to Utah Administrative Code R317-4-5 to the Department. Plans, percolation test, and/or soil classifications must be performed and designed by a person who is certified as required under Utah Administrative Code R317-11 and must verify that the system meets the requirements of Utah Administrative Code R317-4;
 - g. Submit evidence that the existence of an alternative onsite wastewater system or pressure distribution system is recorded in the chain of title for the property in a form approved by the Department;
 - h. Submit operation and maintenance instructions to the Department for review; and
 - i. Apply for an Operation Permit as outlined in section 4.5.1 of this regulation.
- (ii) To apply for an Alternative Onsite Wastewater System Permit or Pressure Distribution System Permit when remodeling a building to which an existing onsite wastewater system or alternative onsite wastewater system is connected in such a way that increases the bedroom count, the applicant shall submit to the Department properly prepared drawings, engineering reports, and design criteria for review and approval.
 - (iii) Any individual designing, installing, operating or maintaining an alternative onsite wastewater system or pressure distribution system shall be Level 3 Certified as provided in Utah Administrative Code R317-11.

4.2.4 Holding Tank Permit Application.

- (i) To apply for a Holding Tank Permit for new construction the applicant shall:
 - a. Submit a completed Department-provided application form;
 - b. Pay all the applicable fees;
 - c. Submit written documentation from the sewer district which has

jurisdiction where the property is located, stating that sewer service is not available;

- d. Submit written documentation of water availability. If a public water system is providing water service, a letter of availability shall be provided. If an individual water system is providing water service, documentation that the system meets the quality, quantity, and pressure requirement of Health Regulation #11 shall be provided;
 - e. Submit completed plans and specifications pursuant to Utah Administrative Code R317-4-5 to the Department. Plans must be designed by a person who is certified as required under Utah Administrative Code R317-11; and
 - f. Apply for an Operation Permit as outlined in section 4.5.1 of this regulation.
- (ii) To apply for a Holding Tank Permit to replace an existing septic system that has failed where a replacement absorption system is not practicable the applicant shall:
- a. Submit a completed Department-provided application form;
 - b. Pay all the applicable fees;
 - c. Submit plans and specifications pursuant to Utah Administrative Code R317-4-5 to the Department. Plans must be designed by a person who is certified as required under Utah Administrative Code R317-11.
 - d. Apply for an Operation Permit as outlined in section 4.5.1 of this regulation.
- (iii) This section is not used for a holding tank when required as a component of a Watershed Septic System.

4.2.5 Tank Replacement and Drainfield Repair Permit Application.

- (i) To apply for a Tank Replacement or Drainfield Repair Permit when replacing a septic tank or repairing a drainfield on an approved existing system the applicant shall:
- a. Submit a completed Department-provided application form;
 - b. Pay all the applicable fees;

- c. Submit plans and specifications pursuant to Utah Administrative Code R317-4-5 to the Department. Plans, percolation tests, and/or soil classifications shall be performed and designed by a person who is certified as required under Utah Administrative Code R317-11.

- (ii) Percolation tests and soil exploration are not required for tank replacement.

4.3. **Permit Validity.** All onsite wastewater system permits, alternative onsite wastewater system permits, and pressure distribution permits are valid for two years from the date of issuance. The Department may grant an extension based upon current regulations. The permit holder shall make a request for an extension prior to the permit expiration date.

4.4. **Onsite Wastewater System Construction and Installation.** All conventional onsite wastewater systems, alternative onsite wastewater systems, and pressure distribution systems shall be constructed and installed in accordance with the plans approved by the Department.

4.5. **Operating Permit, Required.** All properties that have an alternative onsite wastewater system, pressure distribution system or wastewater holding tank shall require a valid Operating Permit issued to the owner of the property.

4.5.1. **Operating Permit Application Requirements.** To apply for an Operating Permit the applicant shall:

- (i) Submit a completed Department provided application form; and
- (ii) Record in the chain of title for the property the existence and the type of alternative onsite wastewater system, pressure distribution system, and wastewater holding tank installed.

4.5.2. **Conditions to Maintain an Alternative Onsite Wastewater System and Pressure Distribution Operating Permit.** In order to receive or maintain an alternative onsite wastewater and pressure distribution operating permit, the owner shall:

- (i) Operate and maintain the system as approved;
- (ii) Have the system inspected as required by this Regulation by a Contract Service Provider;
- (iii) Inspect the system as required in Table 1 and Table 2 by a Contract Service Provider;

TABLE 1 – MINIMUM INSPECTION FREQUENCY ^(a)

Type of System	Annual	Semi-annual
Pressure Distribution	X	
At-Grade (first 5 years only)	X	
Mound System	X	
Packed Bed Media		X
Holding Tank	X	
Membrane Bioreactor (MBR)		(b)

NOTES

(a) Or more frequently as directed by the Department.

(b) Membrane Bioreactors shall be inspected quarterly.

TABLE 2 – COMPONENTS ^(a)

Type of System	Septic Tank and Other Tanks.	Distribution or Drop Boxes (if accessible)	Pumps, Float Settings, Control Panel	Pressure Laterals, Absorption Area	Disinfection Unit (c)
Pressure Distribution	X		X	X	
At-Grade	X	X	X	X	
Mound System	X		X	X	
Packed Bed Media	X	X	X	X	X
Holding Tank (b)	X		X		
<u>Membrane Bioreactor</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

NOTES

(a) Inspect other components as directed by the Department.

(b) Including pumping records.

(c) Required for absorption systems installed in excessively permeable soils, or as directed by the Department.

(iv) Submit to the Department the required inspection results within 30 days of the inspection;

(v) Submit to the Department the required sampling results within 30 days of the sample results being received. Sampling shall be completed as required in Table 3;

TABLE 3 – EFFLUENT SAMPLING PARAMETERS

Packed Bed Media System Routine Sampling Parameters Must sample Turbidity, or BOD₅ and TSS.				
Field Testing	Laboratory Testing			
Turbidity	<u>BOD₅</u>	TSS	COD (a)	E. coli
≤20 NTUs	≤25 mg/l	≤25 mg/l	≤75 mg/l	<126/100 ml (b)

NOTES

(a) Chemical oxygen demand (COD) may be used in place of BOD₅.

(b) E. coli testing required when a disinfection unit is installed.

- (vi) Correct any deficiencies noted in the inspections;
- (vii) Correct any conditions that cause a system to malfunction or fail;
- (viii) Provide accessibility to the system components as required by this Regulation;
- (ix) Maintain high ground water observation wells if required;
- (x) Consult with the Department if chemicals arising from a hobby, home industry or other unusual activities are discharged into the system; and
- (xi) Pay all the applicable fees.

4.5.3. **Failure to Sample and Perform the Required Inspections.** Failure to perform the required samples as required in Table 3 may result in the Health Department requiring samples to be taken. Sampling costs will be assessed to the permit holder.

4.5.4. **Failure to Follow the Operation and Maintenance Plan.** Failure to complete and to follow the operation and maintenance plan may result in the property being closed to occupancy and the operating permit being suspended.

4.5.5. **Change of Ownership.** At any time that a property with an Alternative Onsite Wastewater or Pressure Distribution Operating Permit changes ownership, the new owner shall obtain an Alternative Onsite Wastewater or Pressure Distribution Operating Permit within 30 days of the sale of the property.

4.5.6. **Operating Permit Renewal.** An alternative onsite wastewater or pressure distribution operating permit shall be renewed annually 30 days prior to expiration.

- (i) The new operating permit shall begin one calendar day after the old permit expires.

4.5.7. Operating Permit Validity.

- (i) An operating permit shall be valid for one year.
- (ii) At-grade operating permits are required annually for five years if functioning according to design. At-grade systems malfunctioning shall require an operating permit annually for five consecutive years of the system funding according to design.

4.5.8. Wastewater Holding Tank Operating Permit. A property utilizing a wastewater holding tank shall have a Wastewater Holding Tank Operating Permit renewed annually. Each holding tank shall have the following completed annually by a Liquid Waste Hauler Licensed by the Department:

- (i) Pumped annually and the records submitted with annual permit renewal;
- (ii) A report of the wastewater holding tank condition;
- (iii) Inspection of the high-water alarm panel and floats as required in Table 2; and
- (iv) Pay all the applicable fees.

4.5.9. Wastewater Holding Tank Operating Permit, Not Required. A property utilizing a wastewater holding tank prior to September 5, 2013 shall not be required to have an operating permit. At any time that the wastewater holding tank is found to be failing and/or must be replaced the property owner shall meet the requirements in sections 4.2 and 4.5.8.

4.6. Prohibited Acts. It shall be unlawful for any person:

- 4.6.1. To place or conduct any sewage or wastewater into any storm drain system, street, alley, sidewalk, gutter, watercourse, canal, river, stream or other waters of the State of Utah, or in any landscaped area, vacant land, or other place not suited or designated for the disposal of sewage or wastewater.
- 4.6.2. To discharge wastewater into the sanitary sewer, either on or off a job site, without the permission of the owner of the property and the associated POTW. The permit holder shall provide proof of such permission to the Department upon request.

- 4.6.3. Construct or cause to be constructed a septic tank or other privately owned wastewater disposal system on property required to be connected to the sewer system by section 4.11.
- 4.6.4. To not have the required Alternative Onsite Wastewater, Pressure Distribution, or Wastewater Holding Tank Operating Permit and to not complete the requirements for the operating permit.
- 4.6.5. To construct or cause to be constructed a conventional onsite wastewater system, alternative onsite wastewater system, pressure distribution system, or wastewater holding tank in a Drinking Water Source Protection Zone unless a land use agreement is obtained from the applicable public water system.

4.7. Conventional Onsite Wastewater Disposal System and Alternative Onsite Wastewater Disposal System Maintenance, Inspection, and Sampling. Conventional Onsite wastewater disposal systems and alternative onsite wastewater disposal systems shall be maintained in a manner that prevents the surfacing of sewage, the creation of a nuisance, a public health hazard, or a menace to fish or wildlife.

- 4.7.1. The Department may conduct inspections, testing, and sampling as part of its oversight process.
- 4.7.2. The Department may utilize testing methods to identify failing systems by, but not limited to, the following testing methods:
 - (i) Dye testing, injected through the sanitary drainage system or directly into the septic tank;
 - (ii) Hydraulic testing of the absorption system.
- 4.7.3. Inspection frequency, inspection components, and sampling results shall be completed as required in Tables 1, 2, and 3.

4.8. Onsite Wastewater Systems in the Watershed. Any onsite wastewater system on property in the watershed area shall conform to the Department's Health Regulation #14, Watersheds.

- 4.8.1. For conventional systems all black water discharged from any building on any property in a watershed area shall be discharged into a wastewater holding tank as outlined in Utah Administrative Rule R317-4-10. Septic tanks with absorption systems shall be used for the disposal of other domestic wastewater in a watershed (from sinks, washbowls, bathtubs, washing machines, and dishwashers) in compliance with Utah Administrative Code R317-4.

- 4.8.2. For alternative onsite system where the treated effluent will meet the minimum standards in Table 3 a black water holding tank is not required and all wastewater shall be discharged to the alternative wastewater system.
- 4.8.3. A watershed letter from Salt Lake City Public Utilities shall be issued before an Onsite Wastewater Construction Permit can be issued for a Watershed Septic System.
- 4.9. **Failed Systems.** Failing Onsite Wastewater Systems where the installation of a replacement onsite wastewater system is not practicable a property owner may apply for a wastewater holding tank permit and operating permit.
- 4.10. **Repair of a Malfunctioning or Unapproved System.** Repair to a Malfunctioning or Unapproved system shall be performed in accordance with Utah Admin Code R317-4.3.11
- 4.11. **Mandatory Connection to Sewer.** The wastewater drainage system of each dwelling, building or premises shall receive all wastewater (including but not limited to bathroom, kitchen, and laundry wastes) and shall have a connection to a public sewer except when such sewer is not available or practicable for use, in which case connection shall be connected to an onsite wastewater system found to be adequate and constructed in accordance with the requirements of Utah Administrative Code R317-4.
- 4.11.1. The owner of real property shall connect the building to the sewer system within 60 days after receiving written notice of the sewer connection availability, if any part of the sewer conveyance system is situated within 300 feet of any point of the property line. The Department may waive this section if the property owner can demonstrate substantial and unusual hardship which does not present a significant public health risk.
- 4.11.2. Any subdivision of a parcel of real property shall extend sewer service to the subdivision by multiplying the number of lots by 300 feet per lot. After calculating the sewer extension if any point of the parcel lies within the final extension then all lots in the subdivision shall connect to the sewer service.
- 4.12. **Subsequent Use of Onsite Wastewater Systems, Alternative Onsite Wastewater Systems, Pressure Distribution System and Wastewater Holding Tanks.** If connection to the sewer system is required pursuant to section 4.11, the owner shall, within 30 days of connecting to the sewer, pump and abandon any septic tank, wastewater holding tank, or privy vault; remove any outhouse; fill with earth any cesspool located on his property; and make no further use of those or any other privately owned wastewater disposal system. The abandonment of any septic tank shall be performed in accordance with Utah Administrative Code R317-4. Any pit privy or cesspool shall be backfilled with approximately two feet of compacted earth and mounded slightly to allow for settlement and to prevent depressions for surface ponding of water. Any cesspool, outhouse, septic tank or privy vault that has not been

abandoned on property required to be connected to the sewer system is hereby declared to be a public nuisance. Documentation of the abandonment of any onsite wastewater system shall be submitted to the Department within 30 days of completion.

4.13. Toilet Facilities.

4.13.1. **Required.** The owner(s) or occupant(s) of any building used for human habitation shall install and maintain a toilet in conformance with the provisions of the Department's Regulation #3, section 4.4.2 and the *International Plumbing Code*. It shall be unlawful for any person to establish or maintain any privy, vault privy, or place other than a toilet for the deposit of human waste except as provided in Utah Administrative Code R317-560.

4.13.2. **Required of Construction Contractors.** It shall be the responsibility of the main contractors at any construction site to provide adequate toilet facilities for all workers at the site.

4.13.3. **Required for Events.** Any person responsible for a scheduled event attracting 10 or more individuals to a location where adequate toilet facilities are not otherwise available shall be responsible for providing adequate toilet facilities in accordance with this Regulation.

4.13.4. Emptying.

- (i) **Permanent Facilities.** Any vault, wastewater holding tank, or other approved receptacle used for storage of human waste shall be emptied completely at least once each year by a Liquid Waste Hauler, permitted under the Department's Regulation #1. Additionally, the vault or receptacle shall be completely emptied whenever the level of human waste in such vault or receptacle reaches 75 % of capacity or a point 12 inches or less below any removal or leakage point or the ceiling of such vault or receptacle, whichever point is lower.
- (ii) **Temporary Facilities.** Any person providing a temporary toilet facility shall provide for emptying and hauling of the waste from such facility by a Liquid Waste Hauler, permitted under the Department's Regulation #1 to an approved site as often as needed while the facility is in use and within 24 hours of the termination of the use of the facility.

4.13.5. **Seal.** It shall be unlawful for any person to break or remove any seal placed by the Department upon any closet, urinal, or other place where human waste is deposited or to use any such place so sealed, until the nuisance is abated, and the seal removed.

5. LICENSES, PERMITS, & REGULATORY FEES

- 5.1. The Department may establish and collect appropriate fees for licenses and permits as set out in the Department's Fee Schedule and this Regulation. The Department may collect appropriate fees as set out in the Department's Fee Schedule and in this Regulation for the performance of services, including plan reviews. If information submitted to the Department as required under section 4.2 of this Regulation changes, the applicant shall notify the Department and receive approval prior to altering an onsite wastewater system or an absorption system.
- 5.2. **Conventional Onsite Wastewater Permit Fee.** Any applicant applying for a Conventional Onsite Wastewater Permit as required by section 4.2 of this Regulation shall be required to remit a Conventional Onsite Wastewater Permit Fee of an amount as provided for or as approved by the Director in the Department's Fee Schedule, upon application and the state imposed New System Fee as required in Utah Code Ann. § 19-5-122.
- 5.3. **Alternative Onsite Wastewater System or Pressure Distribution Permit Fee.** Any applicant applying for an Alternative Onsite Wastewater System or Pressure Distribution Permit as required by section 4.2 of this Regulation shall be required to remit an Alternative Onsite Wastewater System or Pressure Distribution Permit Fee of an amount as provided for or as approved by the Director in the Department's Fee Schedule upon application and the state imposed New System Fee as required in Utah Code Ann. § 19-5-122.
- 5.4. **At-Grade System Operating Permit Fee.** Any applicant applying for an At-grade System Operating Permit as required by section 4.5 of this Regulation shall be required to remit an At-grade System Operating Permit Fee of an amount as provided for or as approved by the Director in the Department's Fee Schedule, upon application and at time of renewal.
- 5.5. **Mound System or Packed Bed Media System Operating Permit Fee.** Any applicant applying for a Mound System or Packed Bed Media System Operating Permit as required by section 4.5 of this Regulation shall be required to remit a Mound System or Packed Bed Media System Operating Permit Fee of an amount as provided for or as approved by the Director in the Department's Fee Schedule, upon application and at time of renewal.
- 5.6. **Pressure Distribution Operating Permit Fee.** Any applicant applying for a Pressure Distribution Operating Permit as required by section 4.5 of this Regulation shall be required to remit a Pressure Distribution Operating Permit Fee of an amount as provided for or as approved by the Director in the Department's Fee Schedule, upon application and at time of renewal.
- 5.7. **Wastewater Holding Tank Operating Permit Fee.** Any applicant applying for a Wastewater Holding Tank Operating Permit as required by section 4.5 of this Regulation shall be required to remit a Wastewater Holding Tank Operating Permit Fee

of an amount as provided for or as approved by the Director in the Department's Fee Schedule, upon application and at time of renewal.

- 5.8. **Septic Tank, Drainfield or Wastewater Holding Tank Replacement Fee.** Any applicant applying to replace a septic tank, drainfield or wastewater holding tank as required by section 4.2 of this Regulation shall remit a Septic Tank, Drainfield or Wastewater Holding Tank Replacement Fee of an amount as provided for or as approved by the Director in the Department's Fee Schedule, upon application.
- 5.9. **Sampling Fee.** Any operating permit holder failing to provide the sampling required by section 4.5.3 of this Regulation shall remit the required sampling fee of an amount as provided for or as approved by the Director in the Department's Fee Schedule and the incurred laboratory costs upon completion and reporting of required sampling by the Department to the operating permit holder.
- 5.10. **Reinspection Fee.** If a reinspection of an onsite wastewater system or absorption system is required under section 6.2 of this Regulation, the permit applicant shall pay a Reinspection Fee of an amount as provided for or as approved by the Director in the Department's Fee Schedule.
- 5.11. **Late Fees.**
- 5.11.1. The Department may impose upon any party subject to this Regulation penalties and charges for failure to timely pay service and license or permit fees as set out in this Regulation. Attorney's fees and collection fees may also be applied.
- 5.11.2. Fees unpaid to the Health Department after one month of the due date will be assessed a penalty of 10% of the outstanding balance. Failure to pay the fees and additional charges after two months of the due date will be assessed an additional penalty of 15% of the outstanding balance including previous penalties. Failure to pay the fees and additional charges after 100 days of the due date will result in suspension of the permit and the right to operate. A fee will be assessed for each returned check.
- 5.12. Unless otherwise provided for in this Regulation or approved by the Director in the Department's Fee Schedule, all fees collected by the Department are non-refundable. All licenses and permits issued by the Department are non-transferable.
- 5.13. **Denial, Suspension, or Revocation of License or Permit.** Any permit applied for or issued pursuant to this Regulation may be denied, suspended, or revoked by the Department for any of the following reasons:
- 5.13.1. Failure of the applicant to show that the onsite wastewater system will be designed, installed, and operated in accordance with the requirements of this Regulation;

- 5.13.2. Submission of incorrect, incomplete, or false information in the application;
 - 5.13.3. Failure to pay applicable fees;
 - 5.13.4. The onsite wastewater system will be in violation of law;
 - 5.13.5. Failure of the owner or operator of the onsite wastewater system to allow the Department to conduct inspections as necessary to determine compliance with this Regulation;
 - 5.13.6. Operation of an onsite wastewater system in a way that causes or creates a hazard to the public health, safety, or welfare;
 - 5.13.7. Failure to operate or maintain the onsite wastewater system in accordance with the application, report, plans, and specifications approved by the Department; or
 - 5.13.8. Failure to install the onsite wastewater system according to the Department approved plans.
 - 5.13.9. Failure to comply with any provision of this Regulation.
- 5.14. Unless otherwise provided for in this Regulation or approved by the Director in the Department's Fee Schedule, all fees collected by the Department are non-refundable. All licenses and permits issued by the Department are non-transferable.

6. INSPECTIONS & INVESTIGATIONS

- 6.1. To ensure compliance, the Department has the authority to perform inspections, investigations, reviews, and other actions as necessary.
- 6.2. **Onsite Wastewater System Inspection.** Compliance with applicable rules and this Regulation shall be determined by an on-site inspection by the Department after construction but before backfilling. A 48 hour notice shall be made to the Department when the system is ready for inspection. If the Department must inspect an onsite wastewater system or absorption system due to a determination upon the prior inspection that the system has not met the requirements of this Regulation or the system's approved plans, the applicant shall be required to remit the Reinspection Fee stated in section 5.10. A reinspection fee may also be required when the number of routine construction inspections of the system exceed three.
- 6.3. **Authority for Department to Enter Premises.**
 - 6.3.1. **Regulated Commercial Premises.** Upon presenting proper identification, authorized representatives of the Department may enter upon the premises of properties regulated by the Department to perform routine inspections to ensure compliance with rules, standards, regulations, and ordinances adopted by the

Department, the Departments of Health & Environmental Quality, county or municipal governing bodies, or the division of Occupational and Professional Licensing.

6.3.2. Unregulated Commercial Premises. The Department may enter upon the premises of unregulated commercial properties upon the consent of the owner or otherwise responsible party or upon a warrant issued by a court.

6.3.3. Private Dwellings. Inspections of private dwellings are made with the consent of the owner or otherwise responsible party or upon a warrant issued by a court.

6.3.4. Consent by License or Permit: The Department may require licensees or permittees to consent to access for inspections as part of their license or permit. Failure to allow access for inspections as set out in the license or permit may result in the suspension or revocation of the license or permit.

6.4. The owner or other responsible person may request information gathered by the Department during an investigation, inspection or review pursuant to the Government Records Access and Management Act, Utah Code Ann. §§ 63G-2-101 to -901.

7. ENFORCEMENT MECHANISMS. If the Department has investigated or inspected any property or facility and believes the property owner or other responsible party is in violation of this Regulation or the Department has other reasonable grounds to believe that there has been a violation of any part of this Regulation or that the property owner or otherwise responsible party is not in compliance with this Regulation, the Department may take civil enforcement action as authorized by statute, rule, ordinance, and regulation and may also refer the matter for criminal prosecution. Civil enforcement may involve court or administrative actions, injunctive actions, and closures and may involve cost recovery, penalties, and other remedies. Civil and criminal actions may be brought simultaneously. A person does not need to be first adjudged liable in a civil matter before facing criminal charges.

7.1. Criminal Enforcement Actions. The Department may recommend criminal prosecution for environmental violations either alone or in conjunction with civil enforcement. Criminal prosecutions for environmental violations of state or federal law may be filed by the District Attorney, Utah Attorney General, United States Department of Justice, or other enforcement entity. Factors that the Department may consider in recommending criminal enforcement include the following factors and any other relevant factors.

7.1.1. The nature and seriousness of the offense including the immediacy of the threat of danger to the life or safety of another or the harm or threatened harm to human health or environment;

- 7.1.2. The degree to which the violation was designed to provide economic gain or cost avoidance or it involved a pattern of conduct or a common attitude of illegal conduct;
- 7.1.3. The degree to which the offender is a known violator and has avoided prior actions by the department;
- 7.1.4. The degree to which prosecution might deter future violations;
- 7.1.5. The person's actual culpability in connection with the offense including the presence in connection with the offense including the presence of criminal intent;
- 7.1.6. The person's willingness to cooperate in the investigation including whether the violator has attempted to conceal evidence or prosecution of others;
- 7.1.7. The appropriateness of referring the case to other agencies having prosecutorial interest; and
- 7.1.8. Possibilities of civil remedies which would be more appropriate than initiating the criminal justice process.

7.2. Civil Enforcement Actions.

- 7.2.1. The Department may request that the District Attorney bring an action to restrain or enjoin actions in violation of public health, environmental laws, and other laws or abate conditions in violation of such laws.
- 7.2.2. **Strict Liability.** Except as otherwise specifically provided herein, any person violating any provision of this section may be found guilty without regard to fault, knowledge, intent, or the state of mind of the person committing the violation.

7.3. Administrative Actions.

- 7.3.1. The Department may, at its discretion, issue a Notice of Violation & Order of Compliance (NOV).
- 7.3.2. **Service of NOV.** The Department may provide notice to the owner of the property or otherwise responsible person by sending the NOV via first class mail to the last known address of the owner of the property or other responsible person. If notice is returned undeliverable, the owner of the property or other responsible person may be personally served or be given notice by other methods reasonably calculated to give actual notice to the owner or other responsible party.
- 7.3.3. **Contents of NOV.** The NOV shall:
 - (i) Describe the property and the persons believed to be in violation;

- (ii) Describe the violation;
- (iii) Describe remedial action that will comply with the provisions of this Regulation;
- (iv) Set a reasonable time for the performance of any required remedial action(s);
- (v) Describe the procedure to contest the NOV and the time limits for such a contest; and
- (vi) Notify the owner or other responsible person that if no written contest is filed within the time required, the NOV will become final and unappealable to any administrative entity or court.

7.3.4. **Challenging an NOV.** As detailed in the Department's Adjudicative Hearing Procedures, a party aggrieved by an NOV may request a departmental conference, or departmental appeal in writing within 10 days of the date of the NOV.

7.3.5. **Departmental Conference, Settlement Agreements, and Stipulations & Orders.**

- (i) After issuance of the NOV, the alleged violator has the option to request and attend a Departmental Conference to discuss the NOV and settlement with the Department and its legal counsel. No hearing officer will be present. The process of requesting a Departmental Conference is more fully described in the Department's Adjudicative Hearing Procedures.
- (ii) If the parties agree to a settlement, the Department will prepare, in conjunction with the District Attorney's Office, a binding Settlement Agreement or Stipulation & Consent Order which may require the payment of penalties and the costs of investigation. Parties may also agree to a settlement at any time subsequent to the Departmental Conference. After signing a Settlement Agreement or Stipulation & Consent Decree, the parties waive all rights to further department and court hearings or appeals. Settlement Agreements or Stipulation & Consent orders may be enforced in state courts.

7.3.6. **Hearings & Appeals.** Parties Aggrieved by an NOV may also request a Departmental Hearing or a Departmental Appeal. A hearing officer is present at these proceedings and makes a written determination. The methods of challenging an NOV are more fully described in the Department's Adjudicative Hearing Procedures. Departmental Appeal Orders may be appealed to the entities and within the time limits set out in the Department's Adjudicative Hearing Procedures.

- 7.3.7. **Failing to respond to an NOV.** If a party fails to respond to an NOV within the required time, the NOV becomes a final order unappealable to any administrative entity or court. The Department may then enforce the order in state court.

7.4. Additional Administrative Enforcement Authority.

- 7.4.1. The Department may declare unsanitary conditions a nuisance and cause every nuisance affecting the public health to be abated.
- 7.4.2. Any variances allowed by the Department to the requirements of this Regulation shall be only by written approval of the Board.
- 7.4.3. **Exercise of Physical Control.** The Department may establish, maintain, and exercise physical control over property and over individuals as the Department finds necessary for the protection of the public health including but not limited to closing theaters, schools, and other public or private places and prohibit public gatherings. The order shall be effective immediately. Any person to whom the order is directed shall comply immediately but may petition the Director for a hearing in accordance with the Adjudicative Hearing Procedures. After the hearing and depending upon the findings as to whether the person has complied with the provisions of this Regulation, the Director shall continue the order in effect or modify or revoke it.
- 7.4.4. **Seal.** The Director may condemn as a nuisance and seal up and forbid the use of any water closet, urinal, or other receptacle into which human waste is deposited if it is not equipped and maintained as provided by law or if any water closet or tank is not cleaned and the contents thereof not hauled away or disposed after notice is given to the owner or occupant of the premises within the time designated on the notice.
- 7.4.5. **Emergency Enforcement.** If the Director finds that an emergency exists that requires immediate action to protect the public health, the Director may without notice or hearing issue an order declaring the existence of an emergency and requiring that action be taken as he or she deems necessary to meet the emergency. The order shall be effective immediately. Any person to whom the order is directed shall comply and abate the nuisance immediately; but may petition the Director for a hearing in accordance with the Department's Adjudicative Hearing Procedures. After the hearing and depending upon the findings as to whether the person has complied with the provisions of this Regulation, the Director shall continue the order in effect or modify or revoke it. If circumstances warrant because of the seriousness of the hazard, the Department may act to correct or abate the emergency without issuance of an order or directive or without waiting for the expiration of compliance time previously given in an order.

8. CRIMINAL, CIVIL & ADMINISTRATIVE PENALTIES

8.1. Criminal Penalties.

- 8.1.1. Any person who is found guilty by a court of violating any of the provisions of this Regulation, either by failing to do the acts required herein or by doing a prohibited act, is guilty of a class B misdemeanor, pursuant to Utah Code Ann. § 26A-1-123.
- 8.1.2. Each day such violation is committed or permitted to continue shall constitute a separate violation.
- 8.1.3. Each similar subsequent violation occurring within two years of the initial violation may constitute a class A misdemeanor.

8.2. Civil & Administrative Penalties.

- 8.2.1. Penalties may be included in a Settlement Agreement or Stipulation & Consent Order. Penalties may be assessed according to the following factors:
 - (i) The violator's history of compliance or non-compliance;
 - (ii) The violator's economic benefit of non-compliance;
 - (iii) The documented costs associated with environmental or health damage;
 - (iv) The violator's degree of willfulness or negligence; and
 - (v) The violator's good faith efforts to comply and cooperate.
- 8.2.2. The Director may multiply the penalty by the number of days the violation occurred.

8.3. Recovery of Investigation & Abatement Costs

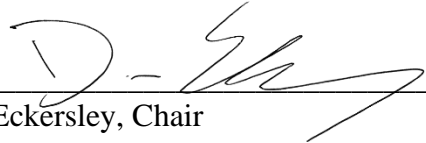
- 8.3.1. The Department may recover its inspection, investigative and abatement expenses and costs from owners or other responsible person.
- 8.3.2. The Department may record a judgment lien on a violator's property to recover its expenses and costs.

9. EFFECTIVE DATE

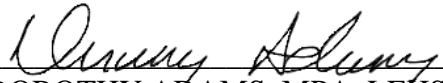
- 9.1. This Regulation shall be effective upon its enactment by the Salt Lake County Board of Health.

APPROVED AND ADOPTED this 7th day of November, 2024.

SALT LAKE COUNTY BOARD OF HEALTH

By: 
Dan Eckersley, Chair

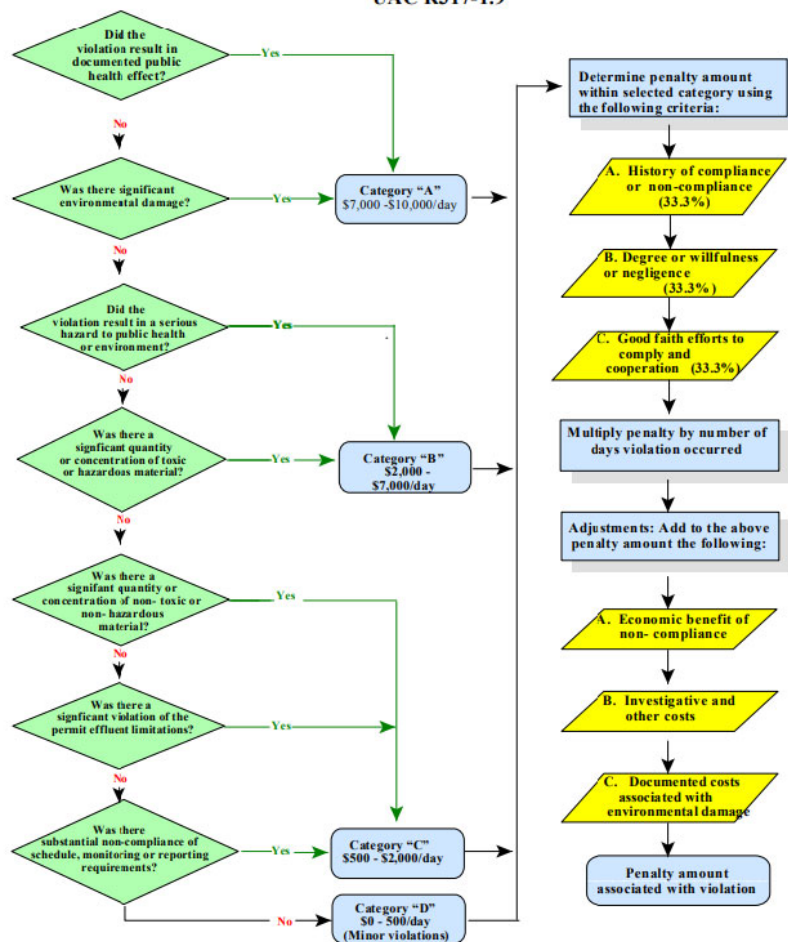
ATTEST:


DOROTHY ADAMS, MPA, LEHS
Executive Director
Salt Lake County Health Department

Utah Administrative Code UAC R317-1.0 Civil Penalty Flow Chart for violations

SALT LAKE COUNTY
IDDE PROGRAM

Utah Water Quality Act Civil Penalty Determination UAC R317-1.9



File: Brznsrte/PPDINGT/WQAct/UACR317-9