

ORDINANCE 25-02

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 13 of the Hyrum City Municipal Code provides for the regulation of public services within the community, specifically municipal utility services; and

WHEREAS, Chapter 13.16 of Title 13 establishes those regulations and conditions under which consumers may receive electrical power from the municipal electric distribution system; and

WHEREAS, Section 13.16.235 prohibits line extensions and connections outside of City limits; and

WHEREAS, the City Council has determined there is a need to amend Section 13.16.235 to further clarify that extensions and connections will not be approved outside city limits unless it is on Hyrum City Property or for Hyrum City Corporation.

NOW, THEREFORE, the City Council of Hyrum City, Cache County, State of Utah, hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING SECTION 13.16.235 DISTRIBUTION SYSTEM EXTENSIONS OUTSIDE CITY LIMITS OF CHAPTER 13.16 OF TITLE 13 OF THE HYRUM CITY MUNICIPAL CODE TO FURTHER CLARIFY NO ELECTRICAL EXTENSIONS OR CONNECTIONS WILL BE APPROVED OUTSIDE CITY LIMITS UNLESS IT IS ON HYRUM CITY PROPERTY OR FOR HYRUM CITY CORPORATION, AND/OR PUBLIC OR QUASI-PUBLIC INFRASTRUCTURE NEEDS.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Section 13.16.235 of Chapter 13.16 of Title 13 of the Hyrum City Municipal Code is hereby amended to read as follows:

**13.16.235 Distribution System Extensions and connections - Outside City Limits**

Normally, —eExtensions of and connections to the municipal electrical distribution system will not be approved outside city limits unless it is on Hyrum City's property or for Hyrum City Corporation, and/or public or quasi-public infrastructure needs.

~~However, if the extension is proximate to the city's existing distribution system and approval for the extension is obtained from the utility authorized by franchise or law to serve the area, the city may provide the service. The person, firm, corporation or other user requesting a distribution system extension as defined in HCC 13.16.225, but located beyond the existing city limits, shall submit payment in full of the estimated cost for materials and labor for the extension before approval will be given by the city for the work to be done, and shall pay for all costs and expenses which exceed the estimate once the work has been completed. Overpayments shall be refunded to the person or entity requesting the extension. (Ord. 87-01 § 2, 3, 4: Ord. 84-13 § 1 (part): prior code § 14-329 (B))1~~

2. REPEALER. All ordinances, resolutions, and policies of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

3. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

4. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

ADOPTED AND PASSED by the Hyrum City Council this 16th day of January, 2025.

HYRUM CITY CORP.

BY: \_\_\_\_\_  
Stephanie Miller

Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Fricke  
City Recorder

Posted: \_\_\_\_\_