

**ESCALANTE CITY
ORDINANCE 2026-03**

AN ORDINANCE AMENDING ESCALANTE CITY ORDINANCE 8.04.230 SUPPLY WATER OUTSIDE MUNICIPAL LIMITS AND PROVIDING REPEALER WITHIN THE CITY OF ESCALANTE, STATE OF UTAH.

WHEREAS, the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to amend the following Ordinance; and

WHEREAS, The City Council and Mayor wish to adopt such an Ordinance.

NOW THEREFORE, be it ordained by the Council of the Escalante City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “8.04.230 Supply Outside Municipal Limits” of the Escalante Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

8.04.230 Supply Outside Municipal Limits

The municipality may furnish water service for a single family dwelling from its water system to persons outside the municipality in accordance with the provisions of this chapter.

- A. No water service shall be granted for any new subdivision outside the municipality.
- B. No water service shall be granted for the sole purpose of a business.
- C. No water service shall be granted for the sole purpose of stock watering.

AFTER AMENDMENT

8.04.230 Supply Outside Municipal Limits

~~The municipality may furnish water service for a single family dwelling from its water system to persons outside the municipality in accordance with the provisions of this chapter. No water service shall be granted for any new subdivision outside the municipality. No water service shall be granted for the sole purpose of a business. No water service shall be granted for the sole purpose of stock watering.~~

General Limitation

The City may, at its sole discretion, extend culinary water service beyond municipal boundaries only for the purpose of serving one (1) single-family dwelling unit on a legally created parcel. Irrigation, landscaping, stock watering, or outdoor watering systems incidental

to the single-family dwelling unit shall be permitted.

Single Connection Requirement

Any extension of water service approved under this section shall be limited to one (1) service connection per parcel. No additional or secondary connections shall be permitted.

Permitted Uses

The following uses shall be permitted on parcels receiving water service under this section, provided they are subordinate and incidental to the primary single-family dwelling and do not require a separate water connection:

- A. One (1) Accessory Dwelling Unit (ADU), whether attached or detached. The ADU shall not be sold separately and shall remain under common ownership with the primary dwelling. The ADU shall pay a monthly base water rate. The ADU and/or the primary single-family dwelling shall not be used, advertised, or operated as a nightly rental, short-term rental, vacation rental, or any form of transient lodging.
- B. Accessory buildings and structures, including but not limited to garages, shops, barns, and agricultural buildings, provided they do not require independent water service connections..

Prohibited Uses and Connections

Water service extended outside city limits under this section shall not be used for, nor shall the City approve or allow:

- A. more than one (1) water connection per parcel;
- B. any use that requires separate or additional water connections beyond the single approved connection;
- C. commercial uses, including but not limited to hotels, motels, or any form of transient lodging;
- D. any subdivision or arrangement intended to serve more than one dwelling unit with separate service; or
- E. dwelling used, advertised, or operated as a nightly rental, short-term rental, vacation rental, or any form of transient lodging;
- F. any use that would require or result in additional equivalent residential connections (ERCs).

No Expansion of Service

Approval of a water extension under this section shall not constitute a commitment by the City to provide additional capacity, upsize infrastructure, or allow future connections to the extended line.

Covenant and Notice

As a condition of approval, the property owner shall record a notice or covenant, in a form approved by the City Attorney, stating that:

- A. water service is limited to one (1) connection serving a single-family dwelling and any permitted subordinate uses. The single-family dwelling shall not be used or operated as a short-term or nightly rental.;
- B. one (1) ADU is permitted but shall not be used for short-term or nightly rental purposes; and
- C. no additional connections or expanded uses are permitted under City code.

Violation

Any violation of this section shall be grounds for termination of water service and subject to enforcement as provided in this code.

SECTION 2: **SEVERABILITY CLAUSE** If any provision of this ordinance is declared invalid or inoperative by a court of competent jurisdiction, the remainder shall not be affected thereby and effect shall be given to the intent manifested by the portion held invalid or inoperative.

SECTION 3: Repealer Any previously enacted ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed, but only to the extent that they are inconsistent with this ordinance. The repealer shall not, however, be construed to revive any ordinance heretofore repealed.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Stowe	_____	_____	_____	_____
Councilmember Lyman	_____	_____	_____	_____
Councilmember Cottam	_____	_____	_____	_____
Councilmember Orme	_____	_____	_____	_____
Councilmember Woolsey	_____	_____	_____	_____

Presiding Officer

Attest

Melani Torgersen, Mayor, Escalante
City

Stephanie Steed, MMC, UCC, City
Recorder, Escalante City