

11-6-125 Utility Easements

(1) Utility Easements Required. Utility easements may be required as part of the site plan and/or building permit process.

(2) Vacating Utility Easements. Any person owning property within the City of Springville may apply to the City Council to vacate a utility easement located on his property. The property owner shall do so by submitting the request in writing to the Community Development Director. The request shall be accompanied by written permission from all interested utilities agreeing to the vacation of the easement. The Community Development Director shall submit the request along with his recommendation to the City Council as soon as practical. The City Council may approve the vacation when it appears to be in the best interest of all concerned parties.

(1) **Building Over Private Property Utility Easement.** Any person owning property within the City of Springville may apply, in writing, to the City Building Official for a permit to build over a utility easement located on the owner's property. The Building Official may issue said permit upon the following terms and conditions:

(a) The owner of said property shall furnish to the Building Official a letter addressed to the City wherein the owner(s) of the property do hold harmless and indemnify the City and indicating that said owner will pay for and be responsible for any costs associated with the building or structure constructed on the easement, and if required its removal, should the easement become active and a use of the easement is required by the City or any legitimate utility company. The request shall be accompanied by written permission from all interested utilities agreeing to the building over of the easement

(2) **Building Under Private Property Utility Easement.** If the utilities are or will be constructed aboveground, buildings and structures may be built provided at least:

(a) Fifteen feet clearance is maintained between building structure and utility lines; and

(b) Five feet clearance is maintained between building structure and any utility pole.