
**NORTH OGDEN CITY
MEMO**

TO: CITY COUNCIL
FROM: BRENT TAYLOR, MAYOR
SUBJECT: SEWER LATERAL ORDINANCE
DATE: 4/30/2015

We are proposing an ordinance to clearly codify our long-standing city policy that the homeowner is responsible for maintenance of utility laterals. This policy was recently the subject of some debate and we believe it would be wise to codify the policy in order to prevent such challenges in the future.

Language to be added for sewer laterals

9-3-1 General Provisions

- A. **Maintenance of Sewers** – The City’s obligation to maintain sewer facilities is limited to the main public sewer lines within the road right-of-way or other easements obtained by the City for such purposes. The City is not obligated to maintain, repair, replace or otherwise perform any work on private sewer facilities installed by the owners of houses, buildings, or other properties as outlined under the section 9-3-1(B) below.

- B. **Connection Required** – The owner of all houses, buildings or properties used for human occupancy, employment, commercial, institutional, recreational or other like purposes, any part of which building is within three hundred feet (300') of any street, alley, court, passageway or area in which a public sewer or sewer owned or operated by or lying within the corporate limits of the city is in existence and use is required at his expense to install suitable facilities (“sewer laterals”) therein, and to connect **and maintain in perpetuity, including repair and replacement**, such facilities **and laterals** with the proper public sewer in accordance with the provisions of this chapter within ninety (90) days after the date that the public sewer line is available for use, provided such public sewer line is within three hundred feet (300') of any part of such building discharging sanitary or industrial waste.

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(Maybe this language too?)

This section shall not be interpreted to limit the City’s liability more than allowed under the Utah Government Immunity Act and other relevant code provisions in local and state law related to damage caused by the City or its contractors to privately owned sewer facilities.

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