

CITY OF MERIDIAN ORDINANCE NO. 21-_____

BY THE CITY COUNCIL:

**BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER**

AN ORDINANCE AMENDING MERIDIAN CITY CODE SECTION 9-4-34, REGARDING POINT OF LIABILITY FOR MAINTENANCE OF SEWER SERVICE LINE, ADOPTING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is authorized by Idaho Code section 50-332 to operate and maintain a domestic sewer system, and the City does exercise such authority, including by the adoption and enforcement of Title 9, Chapter 4, Meridian City Code;

WHEREAS, the City is responsible for maintenance and repair of sewer infrastructure within the public right-of-way, and the private sewer system user is responsible for maintaining sewer infrastructure from the public right-of-way to the building connected to the City sewer system;

WHEREAS, it is necessary to clarify this point of liability as it is described in Meridian City Code;

WHEREAS, the City Council of the City of Meridian finds the following ordinance to serve the best interest of the public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MERIDIAN, ADA COUNTY, IDAHO:

Section 1. Meridian City Code section 9-4-34 shall be amended to read as follows:

9-4-34: POINT OF LIABILITY FOR MAINTENANCE:

A. User Responsibility: All users shall have the responsibility of, and be liable for, and shall pay for, all costs and expenses of maintaining their own sewer lines extending from their property improvement (i.e., house or building) until such sewer lines pass the vertical plane of the ~~user's property line~~ public right-of-way. This maintenance liability of the user includes ensuring that the entire sewer service line ~~from the property line to the sewer main~~ public right-of-way is clear and free from obstructions. The city shall be responsible for the structural repair of the portion of the sewer service line located in the public right of way ~~or outside the property which the sewer service is serving~~. If the sewer easement specifies maintenance liability other than as set forth in this provision, the provisions of the sewer easement shall prevail.

Section 2. That all City of Meridian ordinances, or resolutions, or parts thereof, which are in conflict herewith, are hereby repealed.

Section 3. That this ordinance shall be effective immediately upon its passage and publication.

DRAFT – 6/11/2021

PASSED by the City Council of the City of Meridian, Idaho, this ____ day of _____, 2021.

APPROVED by the Mayor of the City of Meridian, Idaho, this ____ day of _____, 2021.

APPROVED:

ATTEST:

Robert E. Simison, Mayor

Chris Johnson, City Clerk

CERTIFICATION OF SUMMARY:

William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that the summary below is true and complete and upon its publication will provide adequate notice to the public.

William L. M. Nary, City Attorney

SUMMARY OF CITY OF MERIDIAN ORDINANCE NO. 21 - _____

An ordinance amending Meridian City Code section 9-4-34, regarding point of liability for maintenance of sewer service line, adopting a savings clause; and providing an effective date.