

**CITY OF MERIDIAN ORDINANCE NO. 22-\_\_\_\_\_**

**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, or the City of Meridian utility easement, and the private sewer system user is responsible for maintaining sewer infrastructure from the public right-of-way or utility easement to the building connected to the City sewer system; and

**WHEREAS**, clarifying this point of liability as it is described in Meridian City Code will 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(A) 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 or other City of Meridian sewer utility easement. 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 or City of Meridian sewer utility easement 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 City of Meridian sewer utility easement ~~or outside the property which the sewer service is serving~~. If the sewer easement instrument specifies maintenance liability other than as set forth in this provision, the provisions of the sewer easement instrument 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2.** That all City of Meridian ordinances, or resolutions, or parts thereof, which are in conflict herewith, are hereby repealed.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.

**PASSED** by the City Council of the City of Meridian, Idaho, this \_\_\_\_ day of \_\_\_\_\_, 2022.

**APPROVED** by the Mayor of the City of Meridian, Idaho, this \_\_\_\_ day of \_\_\_\_\_, 2022.

**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.