

# South Panorama Sanitary District

## Ordinance 7

*An Ordinance Determining the Rights, Duties and Responsibilities of the Use of Sewer Mains, Service Lines and Connection to Sewer Mains of the South Panorama Sanitary District*

Be it ordained by the Board of Trustees of the South Panorama Sanitary District (the District) of Guthrie County, Iowa:

### **Section 1**            **Purpose**

The purpose of this Ordinance is to fix and determine the rights, duties and responsibilities for the use of the sewer mains, service lines and connection of sewer service line to the District.

### **Section 2**            **Sewer Trunk Line: Definition**

The “sewer trunk line” is also known as the “sewer main”. The District assumes all responsibility for this line, except that the user shall be responsible for the connection to this main and shall have responsibility after connection thereto, as below stated.

### **Section 3**            **Service Line: Definition**

The “service line” is the line between the sewer trunk line and all present or future District sanitary sewer users’ septic tanks.

### **Section 4**            **Ownership of Sewer Trunk Line**

The District is the sole owner of the sewer trunk line (“sewer main”). It shall have sole authority over the same. No person, firm, corporation, organization, contractor, partnership or other entity shall hereafter excavate, attach, tap, or in other manner use or operate said sewer trunk line without express permission of the District, or its officers, employees, or other designated person or persons.

### **Section 5**            **Ownership of Service Line**

The owners of septic systems with service line from their septic tank to the District sewer trunk line are the owners of that line. All such owners of a service line are responsible in every respect for the installation, reinstallation, repair, care and maintenance of such service line, as well as the safe maintenance and repair of all ditches, road surface, excavations, and dirt removal, replacement, and transfer associated with the installation, repair or maintenance of such service line or lines.

### **Section 6**            **Installation of Service Line**

The owners of a service line shall be responsible for all expenses of the installation of such line and its attachment to the District sewer trunk line. Prior to tapping and attaching to the District sewer trunk line, the owner shall:

(1) Provide information to the designated District representative as to the proposed connection with the sewer trunk line.

(2) Provide written statement that such owner shall be responsible for any failure of workmanship on the excavation of necessary ditches to the trunk line. Additionally, any owner attaching to the District sewer trunk line

shall agree in writing to warrant the work performed by such owner, or his agent or contractor, and to indemnify and hold harmless the District from any and all liabilities arising from attachment or connection to that line.

**Section 7**            **Repeal of Conflicting Ordinances**

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed insofar as the conflicting portions thereof are concerned.

**Section 8**            **When Effective**

This Ordinance shall be in full force and effect upon its passage and publication according to the law of the State of Iowa.

**Section 9**            **Savings Clause**

If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof invalid or unconstitutional.

Passed and approved this 10<sup>th</sup> day of April, 1990.

Jason Beck, President

Attest:

Arline H. Walter, Secretary