

ORDINANCE NO. 2019-

AN ORDINANCE AMENDING SECTION 13.12.050 OF THE CASTLE ROCK MUNICIPAL CODE CONCERNING SEWER SERVICE LINE MAINTENANCE OBLIGATIONS

WHEREAS, water and sewer service lines are critical components of the systems for distributing drinking water and collecting wastewater to protect public health; and

WHEREAS, it is critical to define the responsibilities of Castle Rock Water and the customers or property owner for maintaining, replacing and repairing these service lines.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Amendment. Section 13.12.050 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

13.12.050 - Ownership of system.

A. Water service lines. The Town shall own and maintain all water service lines utilized in the distribution of municipal water from the point of distribution and including individual water meters. The *service line* is defined as the pipe (excluding the outlet connection of the curb stop or meter yoke) extending from the distribution main to the property line. If the meter is located within the customer's building, only the meter is the property of the Town, and not the line from the curb stop to the meter. The service line from the meter to final distribution point shall be under private ownership and responsibility. Town representatives shall carry proper Town-issued credentials and upon exhibit of which, the representative shall have reasonable right of entry during normal business hours and/or upon reasonable notice, to repair, replace or otherwise inspect the water meter assembly as described in Subsection 13.12.110.G.

B. Sewer service lines. The Town shall own and maintain all sewer mains and sewer connection points within the corporate limits of the Town. *Connection point* is defined as the wye on the sewer main. Service lines from the sewer main for the individual user shall be owned and maintained by the property owner. The Town shall have the power to require a property owner to repair any deficiencies detected in the property owner's line discovered by routine maintenance of municipal mains or by any other means. However, the Town reserves the right, at the discretion of the Director of Castle Rock Water and at the Town's expense, to make repairs or modifications to any portion of the sewer service line located in public property or the public right-of-way when such repairs or modifications serve the operational efficiency of the public sewer system or enhances the capital replacement or rehabilitation of the sewer system infrastructure or the public road infrastructure.

~~The Town representative shall carry proper credentials of his or her office and, upon exhibit of which, said representative shall have reasonable right of entry during normal business hours and/or upon reasonable notice, to repair, replace or otherwise inspect the meter assembly as described in Subsection 13.12.110G.~~

CB. All water and sewer service lines and mains, whether owned privately or by the Town, upon initial construction or subsequent repair, must meet Town engineering specifications and standards. It shall be the responsibility of each developer and/or property owner to cause water and sewer mains to extend from property line to property line as determined by the Town Engineer in order that services will thereupon be available to adjacent property owners and users.

Section 2. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

Section 3. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 2nd day of April, 2019 by a vote of ___ for and ___ against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this 16th day of April, 2019, by the Town Council of the Town of Castle Rock by a vote of ___ for and ___ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

Mark Marlowe, Director of Castle Rock Water