

ORDINANCE NO. 2013-4

AN ORDINANCE REQUIRING BACKWATER CHECK VALVES FOR ALL NEW AND RECONSTRUCTED SEWER CONNECTIONS, AND REITERATING THE CITY'S POLICY OF DENYING RECOMPENSE FOR SEWER BACKUP DAMAGES

THEREFORE, BE IT HEREBY ORDAINED BY THE CITY OF LOCKESBURG

WHEREAS, the State Plumbing Code requires the use of sewer check valves in areas prone to sewer backups, and;

WHEREAS, the City of Lockesburg is desirous of a safe harbor provision to prevent sewer backups into private homes, and;

WHEREAS, the City of Lockesburg asserts its tort immunity doctrine for damages to personal property caused by sewer backups, but wishes to inform all the citizens of the policy, now

THEREFORE BBE IT HEREBY ORDAINED BY THE CITY OF LOCKESBURG:

Section 1. The Lockesburg Municipal Code, Sewer Regulations, should be amended by adding the following paragraph:

All new building sewer construction and all building sewer replacement or reconstruction lines shall be fitted with an approved check valve designed to prevent the backup of sewage into the building. The check valve installation may be waived by the city upon request for those building sites on high ground where backups are not possible.

Section 2. The City states again that it is the policy of the City not to pay for any damages to personal property caused by sewer backups into buildings through the building's sewer lines.

Section 3. It is determined by the City Council that an emergency exists with respect to the public safety and welfare, and that this Ordinance should be and is hereby declared to be immediately effective from and after its passage.

PASSED this 12 day of November 2013.

Danny Ruth
MAYOR DANNY RUTH

Attest:

Becky Jegstrup
Becky Jegstrup, Recorder/Treasurer