



Memorandum

Date: November 20, 2020

From: Mayor Mike Bawden

Re: Proposed Ordinance on Dedication of Water Lines Under City Streets to Iowa-American Water Company

Attached is language proposed for a new ordinance that would convey ownership of the water lines under Riverdale's streets to Iowa-American Water Company over time.

Currently, residents own their water service lines from their house to the main, located under the middle of the street. This means if something breaks between the main and the curb, the resident is on the hook to arrange for, oversee and pay for repairs. This can run into thousands of dollars.

The proposed ordinance would make those repairs the responsibility of the water company, but in order to do that, the water company needs to own the line. The way this ordinance is written, that ownership will transfer to the water company when it's time to perform service on the line.

Over a period of years (maybe 20 or so), ownership – and responsibility – for all of the water service lines from the main to the curb will become the responsibility of Iowa-American Water. The water service lines from the curb to the houses will remain the responsibility of the homeowner.

I'd be interested in your thoughts.

CITY OF RIVERDALE, IOWA ORDINANCE NO. _____

CONCERNING OWNERSHIP AND MAINTENANCE OF WATER SERVICE LINES

WHEREAS, Iowa-American Water Company ("Iowa-American") provides water service to the City of Riverdale customers and operates the water system in accordance with the applicable provisions of the Iowa statutes and regulations regarding a drinking water system ("System") as provided for in the Riverdale City Ordinance Chapter 90;

WHEREAS, a part of the System is the service line which connects the water main to the residence or commercial customer for delivery of water;

WHEREAS, Iowa-American and the City have determined that it is in the best interests of the residents of Riverdale and Iowa-American that installation, maintenance and ownership obligations regarding the service line be clarified in order to ensure continued service of high-quality water to the residents of Riverdale;

NOW, THEREFORE, be it ordained by the Mayor and City Council of the City of Riverdale, Iowa, as follows:

SECTION 1. INCORPORATION OF PREAMBLES

The City and Iowa-American hereby find that the recitals contained in the preambles are true and correct, and incorporate them into this Ordinance by this reference.

SECTION 2. DEFINITIONS

"Distribution Main" means water pipe owned, operated, or maintained by Iowa-American which is used for the purposes of distribution of water to a customer's service connection.

"Service Line" shall mean the pipeline leading from the Distribution Main to the plumbing system of the individual premises. Each service line consists of two parts: the Service Connection and the Customer Service Line.

“Service Connection” shall mean the portion of the service line from the Distribution Main in the street to the curb or property line.

“Customer Service Line” shall mean the portion of the Service Line from the curb, property line, valve or meter to the structure or premises supplied and installed at the cost and expense of the customer.

SECTION 3. SERVICE CONNECTION OWNERSHIP AND MAINTENANCE BY IOWA-AMERICAN

Iowa-American shall install, maintain and repair if necessary, the Service Connection for each customer in Riverdale at the expense of Iowa-American. The Service Connection shall be the property and asset of Iowa-American. All Service Connections and appurtenances shall be installed only by Iowa-American.

SECTION 4. CUSTOMER SERVICE LINE OWNERSHIP AND MAINTENANCE BY CUSTOMER

The customer of Iowa-American shall install, maintain and repair if necessary, the Customer Service Line at the customer's expense. The Customer Service Line shall be installed in a workmanlike manner and shall be furnished, installed and maintained by the customer at his/her own expense and risk. The Customer Service Line shall be laid so that it has a depth of cover at least five (5) feet at all points and shall be placed on firm and continuous earth so as to give unyielding and permanent support. The customer shall install and maintain in good working condition a stop and waste cock of a type approved by Iowa-American on the Customer Service Line inside the foundation wall in a readily accessible location in a place protected from freezing and so placed that it will shut off and drain all plumbing within any and all buildings in the premises. The Customer Service Line shall be subject to inspection by Iowa-American before water will be turned on to the premises. Customer Service Lines must be kept and

maintained in good condition and free from all leaks and defects at the customer's cost and expense, and for failure to do so may cause the water service to be discontinued.

SECTION 5. SEVERABILITY

If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

SECTION 6. REPEALER

All Ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 7. EFFECTIVE DATE

This Ordinance shall be in full force and effect on and after its passage, approval and publication as provided by law.

ADOPTED this _____ day of _____, 2020, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

Mayor, City of Riverdale, Iowa

ATTEST:

City Clerk, City of Riverdale, Iowa

PUBLISHED in the _____ on _____, 20__

RECORDED in the City of Riverdale Ordinances on _____, 20__