ORDINANCE NO. 070, 2014
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING ARTICLE IV OF CHAPTER 26 OF THE CODE OF THE
CITY OF FORT COLLINS TO ALLOW COMMON PRIVATE SERVICE LINES
FOR WASTEWATER SERVICE IN CERTAIN CIRCUMSTANCES

WHEREAS, Article IV of Chapter 26 of the Code of the City of Fort Collins ("City Code") governs the requirements and conditions for wastewater service from the City's Wastewater Utility; and

WHEREAS, Section 26-256 of the City Code requires that each residential service property have an individual service line attached to a City main; and

WHEREAS, in certain conditions, the allowance of a shared private service line to serve multiple residential properties is beneficial in order to reduce underground congestion of service lines and to facilitate the planting of trees and other landscaping in green spaces above the service lines; and

WHEREAS, City staff has developed certain conditions intended to protect the City and ensure ongoing operation and maintenance of common private service lines, as described below; and

WHEREAS, the Water Board considered the proposed amendment of the City Code to allow common private service lines on April 17, 2014, and voted unanimously to recommend approval of such an amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Section 26-256 of the Code of the City of Fort Collins is hereby amended by the addition of a new Subsection (c) which reads in its entirety as follows:

Sec. 26-256. Individual service lines for each building required.

. . .

(c) Notwithstanding the provisions of Subsection (a) of this Section, the Utilities Executive Director may, after review and approval of the related plans and specifications, authorize the service of more than one (1) property by a single, common, private sewer service line, provided that:

(1) The properties to be served by the line must be single-family attached dwellings on separate platted lots as defined in the Land Use Code.

(2) The combined wastewater flow from the properties may not exceed the capacity of the line.

(3) No more than six (6) single-family attached dwellings may be connected to the line.

(4) The line must include a separate branch line to each single-family attached property, and each branch line must include a clean-out that meets the requirements of the City Plumbing Code.

(5) The line connecting to the City sewer main and all branch service lines must be owned, operated, maintained, repaired and replaced, as needed, by a legal entity representing all of the owners of the properties served by the line.

(6) A written declaration of covenants in a form satisfactory to the Utilities Executive Director must be recorded against the title to each and every property served by a common private sewer service line imposing upon said property the responsibility for operation, maintenance, repair and replacement of the line, and establishing the right of the City to recover any costs incurred by the City in the event of a failure to satisfactorily complete any such operation, maintenance, repair or replacement of the line.

If the Utilities Executive Director determines that the foregoing criteria have been met, a written permit shall be granted, which permit shall contain a listing of the foregoing requirements as a condition of continued service hereunder and specific reference to Subsection (c)(6) of this Section imposing shared responsibility for operation, maintenance, repair and replacement of the common private service line shall be signed by the Utilities Executive Director, and shall be duly recorded at the office of the County Clerk and Recorder.

Introduced, considered favorably on first reading, and ordered published this 6th day of May, A.D. 2014, and to be presented for final passage on the 20th day of May, A.D. 2014.

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Mayor

ATTEST:

_____
City Clerk

Passed and adopted on final reading on this 20th day of May, A.D. 2014.

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Mayor

ATTEST:

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City Clerk