

**ORDINANCE NO. 2018-3**

**AN ORDINANCE AMENDING AND ADDING TO  
THE CITY OF LIVERMORE  
CODE Title VI, Chapter 2, Section 4, Section 5, and Section 7**

**NOW, THEREFORE,** be it ordained by the City Council of the City of Livermore, Livermore, Iowa,

**SECTION 1.** The Code of Ordinances of the City of Livermore to be amended by repealing ordinance of the Livermore City Code Title 6; Chapter 2-4-8, Chapter 2-5-1, Chapter 2-7 and the following adopted in lieu thereof:

**ORDINANCE 6-2-4 (8) BUILDING SEWERS AND CONNECTIONS.** No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, sump pumps or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer

**ORDINANCE 6-2-5 (1) USE OF THE PUBLIC SEWERS.** No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, sump pumps, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. Applications may be cancelled and/or sewer service discontinued by the City for any violation of any rule, regulation or condition of service, and especially for any of the following reasons:

- a. Misrepresented in the application as to the property or fixtures to be serviced by the sanitary sewer system.
- b. Non-payment of bills.
- c. Improper or imperfect services pipes and fixtures, or failure to keep same in suitable state of repair.

**ORDINANCE 6-2-7 POWERS AND AUTHORITY TO INSPECTORS.**

1. The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Ordinance. The Superintendent or the Superintendent's representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

2. While performing the necessary work on private properties referred to in 6-2-7-(1), the Superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by the City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in 6-2-5(8).
3. The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
4. Every person, firm, corporation within the city that discharges into the city's sanitary sewer system, or on the ground, shall allow duly authorized employees of the city, bearing proper credentials and identification, to inspect the building to confirm that there is no sump pump or prohibited discharge into the sanitary sewer system. This requirement may also be met by having the property owner contract with a licensed plumber to perform the inspection. The plumber must inspect the property and the sump pump system and complete and return an inspection form provided by the city documenting the results of the inspection. All cost associated with inspection by a privately retained plumber shall be the responsibility of the property owner.
5. Any property owner or contractor/builder of a new home, refusing to allow their property to be inspected within thirty days of the date city employees or their designated representative, requested admittance to the property, shall immediately become subject to penalties as noted in 6-2-8.

**SECTION 2. SEVERABILITY.** If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 3. EFFECTIVE DATE.** This ordinance being deemed of immediate importance shall become effective upon passage publication/posting.

**PASSED AND APPROVED** by the council on the \_\_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
Elden Landolt, Mayor

ATTEST

\_\_\_\_\_  
Janet Berte, City Clerk

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Third Reading \_\_\_\_\_

I certify that the foregoing was posted on the \_\_\_\_\_ day of \_\_\_\_\_ 2018

\_\_\_\_\_  
Janet Berte, City Clerk