

Senator Karen Mayne proposes the following substitute bill:

SEWER LATERAL DISCLOSURES

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Mayne

House Sponsor: Stephen G. Handy

LONG TITLE

General Description:

This bill enacts provisions relating to sanitary sewer service.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ requires each public owner of sanitary sewer facilities to provide certain disclosures related to liability for the repair or replacement of a sewer lateral.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

11-8-4, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **11-8-4** is enacted to read:

11-8-4. Sewer lateral disclosure required.



26 (1) As used in this section:

27 (a) "Public owner" means the same as that term is defined in Section [11-8-1](#).

28 (b) "Sanitary sewer service" means service provided by a public owner's sanitary sewer
29 facilities.

30 (c) "Sewer lateral" means a pipe that connects a property to a public owner's sanitary
31 sewer main line.

32 (2) (a) Each calendar year, a public owner shall, in accordance with Subsection (2)(b),
33 distribute a disclosure that:

34 (i) includes the definition of a sewer lateral; and

35 (ii) states whether the record owner of the property or the public owner is responsible
36 for repair and replacement of the sewer lateral that serves a property.

37 (b) A public owner may distribute the disclosure described in Subsection (2)(a) by:

38 (i) once each calendar year conspicuously placing the disclosure:

39 (A) on each bill for sanitary sewer service in a particular billing cycle; or

40 (B) in a newsletter that is circulated within the boundaries of the area served by the
41 public owner;

42 (ii) conspicuously placing the disclosure on the public owner's website;

43 (iii) including the disclosure in a broad based social media campaign; or

44 (iv) any other means reasonably calculated to make the disclosure available to
45 individuals served by the public owner.

46 (c) A public owner's failure to comply with a provision of this Subsection (2) does not
47 result in any liability for the public owner based on the public owner's failure to comply.