

**CITY OF HOBART, INDIANA**

**JOINT SANITARY DISTRICT BOARD OF COMMISSIONERS  
AND STORM WATER MANAGEMENT BOARD OF DIRECTORS**

**Joint Resolution No. 2012- 04**

**A Resolution to Repeal Resolution No. 2008-01 of the Hobart Sanitary District Board of Commissioners and to Terminate the Program of Assistance for the Replacement of Lateral Sewer Lines and Sewer Backflow Prevention Devices**

WHEREAS, the Board of Commissioners of the City of Hobart ("City") Sanitary District ("District"), which is comprised of persons who are also the members of the of the City of Hobart Department of Storm Water Management Board of Directors (collectively, "Board"), have previously enacted its Resolution No. 2008-01, as amended by Resolution No. 2010-01 for the purpose of establishing a program of assistance to the owners of real property in the City for the replacement of "lateral" sewer lines and backflow prevention devices through a cost-sharing arrangement through which the District would reimburse the property owner 50% of the cost of replacement or installation up to the sum of \$4,000.00; and

WHEREAS, the Board has made a careful study of the amounts expended upon this program and has determined that, since January 1, 2009, 71 property owners have participated in the program. For the period from January 1, 2009 to May 15, 2012, the District has expended \$237,965.26 on the program; and

WHEREAS, the Board has determined that the funding of these replacements and installations has not made a significant contribution to the reduction of infiltration and inflow of storm water into the District's sanitary sewers, and that available funds may be more effectively expended upon other measures to reduce the infiltration and inflow of storm water into the District's sanitary sewers; and

WHEREAS, the Board has further determined that clear rules of responsibility should be promulgated to establish that property owners are responsible for the maintenance and replacement, when necessary, of their entire lateral, from its origin within their buildings to and including the terminus of the lateral pipe in the main sewer line, including the tap-in, without regard as to whether any portion of such lateral traverses public property, and that, in accord with §53.003 of the Municipal Code of the City of Hobart, no work may be performed on any such lateral without first obtaining a permit from the Clerk-Treasurer and is subject to inspection by the City or District when connection of the lateral to the main sewer is ready, all as required by §53.003 (1) through (10) of the Code, inclusive; and

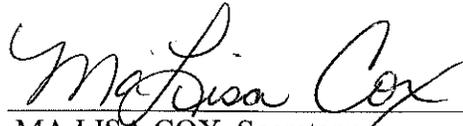
WHEREAS, the Board desires now to take such actions and to spread same upon the public record.

THEREFORE, BE IT RESOLVED by the joint City of Hobart Sanitary District Board of Commissioners and City of Hobart Storm Water Management Board of Directors that:

1. Sanitary District Resolution No. 2008-01 is hereby repealed.
2. Property owners within the City are solely responsible for all costs of maintenance and replacement, when necessary, of their entire lateral, from its origin within their buildings to and including the terminus of the lateral pipe in the main sewer line, including the tap-in, without regard as to whether any portion of such lateral traverses public property, and that, in accord with §53.003 of the Municipal Code of the City of Hobart, no work may be performed on any such lateral without first obtaining a permit from the Clerk-Treasurer and is subject to inspection by the City or District when connection of the lateral to the main sewer is ready, all as required by §53.003 (1) through (10) of the Code, inclusive.

ALL OF WHICH is adopted as the Resolution of the City of Hobart Sanitary District Board of Commissioners and Storm Water Management Board of Directors on this 8th day of August, 2012.

  
ROBERT J. FULTON, President

ATTEST:   
MA LISA COX, Secretary