

Trustee Giles Demke made the motion that the Board adopt the following resolution:

**RESOLUTION #19-061621-02**

WHEREAS, Since it is the Boards intention to approve the Amendment to Wastewater Control Rules and Regulations – Section 2.9 – Injuring the Facilities of the District and Excavation in the District, with the changes stated, NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Mt. Olympus Improvement District that this adoption be as follows:

**RESOLUTION TO APPROVE AMENDMENT TO WASTEWATER CONTROL RULES AND REGULATIONS – INJURING THE FACILITIES OF THE DISTRICT AND EXCAVATION IN THE DISTRICT**

**RESOLUTION #19-061621-02**

**MT OLYMPUS IMPROVEMENT DISTRICT  
AMENDMENT TO WASTEWATER CONTROL RULES AND REGULATIONS  
OF THE DISTRICT WITH RESPECT TO INJURING THE FACILITIES OF  
THE DISTRICT AND EXCAVATION IN THE DISTRICT**

**[Injuring Sewer Lines and Appurtenances and Requirement to Identify and Mark  
the Location of Sewer Lines and Appurtenances]**

An amendment to the District’s Wastewater Control Rules and Regulations (the “Regulations”) with respect to injuring facilities of the District and in order to require excavators to identify and mark the location of all sewer lines and appurtenances when performing construction activities in the public ways, in private property, and adjacent areas.

WHEREAS, several cities in the State of Utah, the State of Utah, and Salt Lake County (collectively, the "Governmental Entities") with roads or highways which are located within the boundaries of Mt Olympus Improvement District (the “District”) have enacted ordinances governing construction in the roads, public ways, and other areas within said Governmental Entities’ jurisdictions (collectively, the “Public Ways”);

WHEREAS, the District owns, operates, and maintains sewer main lines, sewer trunk lines, and appurtenances (each, a “District Sewer Line” and collectively, the “District’s Sewer Lines”) in the Public Ways, in private property, and in adjacent areas;

WHEREAS, the District desires to protect the District’s Sewer Lines from interference and/or damage during construction and excavation in the Public Ways, in private property, and adjacent areas.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF MT OLYMPUS IMPROVEMENT DISTRICT:

- (1) that Section 2.9 of the existing Regulations is hereby deleted and replaced in its entirety with new Section 2.9 set forth below:

**2.9 Injuring Sewer Prohibited; Excavation Affecting District's Sewer Lines.** No Person shall injure, break or remove any part or portion of any sewer system or any sewer appliance or appurtenance. Before performing directional boring or other excavation in the Public Ways, private property, and/or adjacent areas the Person performing the excavation (an "Excavator") must do the following with respect to every District Sewer Line and/or appurtenance that is located within the length of the proposed excavation site when the proposed excavation is more than 24" deep: (a) locate each District Sewer Line and appurtenance by potholing and (b) physically mark the location of each District Sewer Line and appurtenance. This section shall not otherwise affect an Excavator's liability for damage to a District Sewer Line or appurtenance in connection with a boring or excavation operation. All directional borings must be done so that the borings have vertical and horizontal separations of at least 36" from each District main sewer line ("District Main Line" or "District Main Lines") and at least 48" from each District trunk line ("District Trunk Line" or "District Trunk Lines"). Prior to excavation, the Excavator can obtain information from the District with respect to the approximate location of District Main Lines and District Trunk Lines.

(2) that this Resolution shall be effective immediately upon adoption.

**RESOLUTION #19-061621-02**

MT OLYMPUS IMPROVEMENT DISTRICT

By: *Ami Neff*  
Its: Chair

ATTEST:

*Sammy Gonzales*  
District Clerk

The motion was seconded by Trustee C. Kim Blair. The motion was approved by unanimous vote, those voting in favor: C. Kim Blair, Giles Demke, and Ami Neff.