

12.04.135 – Underground sprinkling systems - Permission required for installation and maintenance in public right-of-way

It is unlawful to construct or install an underground sprinkling system or maintain an underground sprinkling system in any public place, street, alley or other public right-of-way without first having secured a permit agreement and building, right-of-way, and plumbing permits from the city. The permit agreement shall be executed by the Building Commissioner on behalf of the city. It is the owner's sole responsibility to maintain and repair the underground sprinkler system. The owner shall indemnify the city from any and all liability for damages or injury arising from the installation, operation, maintenance, or location of the underground sprinkling system. Applications for an underground sprinkling system to be installed in public right-of-way shall have a permit agreement and covenant attached, prepared by the applicant (adjacent property owner) and reviewed and approved by the Building Department, stating that he has read the requirements for an underground sprinkling system located in the right-of-way and that he agrees to comply with them and that he does for himself, his heirs, successors and assigns indemnify and hold harmless the city from any liability asserted by others in connection with the installation, operation, maintenance, or location of the underground sprinkling system and that they permit the removal of any underground sprinkling system by the city if the underground sprinkling system interferes with municipal use, access, or other rights. The covenant may be recorded at the applicant's expense by the city in the County Recorder's Office. In the event city shall determine it necessary to excavate or have access across the area with the underground sprinkling system, the applicant shall remove the underground sprinkler system at city's direction and in the event of the failure thereof, the city may remove the same at owner's expense. The city shall not be required to replace the same pursuant to removal of underground sprinkling system in any event. The form of the permit agreement and covenant shall be approved by the City Council.

(1997-M-48 : § 1)