

SECTION 10700 – JOINT MAINTENANCE AGREEMENTS APPLICABILITY

- Joint use maintenance agreements are required any time water and/or sanitary sewer service will be provided through a common service connection to separate buildings and/or properties, which are or could potentially be owned by different owners.
- Joint services are limited to two (2) customers per service. Additional customers for fire service may be approved upon review by the BCWS Director.

DOCUMENTATION

- The following standard forms are included in Appendix 13800 of this manual: “Maintenance Agreement for Joint Use Water Line(s)” and “Maintenance Agreement for Joint Use Sewer Lateral.” One or both of these forms (as applicable) shall be completed, fully executed and recorded for every instance where a Joint Use Maintenance agreement is required. No modifications to the standard forms are permitted (except to add additional owners when applicable), and no other form(s) will be accepted. Any other contract terms, stipulations, special requirements, etc., shall be included in a separate agreement and shall not be a part of the Joint Use Maintenance Agreement, except as specifically allowed for under Requirement 1 on the standard forms.
- The legal description(s) of the property(ies) involved shall be included as part of the Joint Use Maintenance Agreement, either as an attached exhibit or at the appropriate location within the text of the document. Each owner or the legally authorized representative of each owner, shall sign the agreement. The Joint Use Maintenance Agreement(s) shall be recorded against the involved property(ies) in the Butler County Recorder’s Office, and a copy of the recorded document shall be provided to BCWS before the water and/or sewer permit(s) will be issued for any of the involved buildings.

ENFORCEMENT

- Neither the Board of County Commissioners nor BCWS will be responsible for enforcement of the cost sharing terms of any Joint Use Maintenance Agreement. BCWS will hold the owner(s) named on the respective utility bill(s) responsible for any violations of County rules and/or regulations associated with the joint use service(s).

END OF SECTION