



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

## OFFICE OF THE CITY ATTORNEY

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### MEMORANDUM

TO: Public Works Committee

FROM: Joel P. Landeen, Assistant City Attorney

DATE: 2-4-09

RE: James Flynn, 1221 Kansas City Street

Mr. Flynn has contacted our office to request that the City do something about his neighbors non-conforming sewer service line. Mr. Flynn lives at 1221 Kansas City Street. His neighbor at 1225 Kansas City Street has a sewer service line which crosses his property and connects with the City's sewer main in the alley east of their properties. This line has caused him numerous problems. The sewer service line from 1225 does not conform to current City standards. The only option to legally correct this problem is to have the owner of 1225 extend a main and install new service line which conforms to City standards. The City could achieve this through an assessed project. The only property involved would be the owner of 1225 Kansas City Street so the project would not qualify for City participation in the costs. The cost is likely to be significant. Staff requests direction on whether or not the Council wants to proceed with an assessed project.