

August 17, 2016

You have asked if the Town is responsible for paying the cost of relocating a water line, such relocation being caused by the Town's rebuilding of a bridge inside the city limits. Your thought is that maybe the Utility District would be responsible for this cost, because it is their water line. I checked with both Stephanie O'Hara, MTAS Senior Attorney, and Sharon Rollins, MTAS Senior Public Works Consultant, to find an answer. All of us agree this cost will be the responsibility of the Town because they caused the relocation of the water line.

A couple of other things:

- The Utility will likely want to do the work themselves, rather than have the Town or a Town contractor do so.
- If the line is on a State road or right-of-way, please let me know because other laws may apply.
- If the Town has a franchise agreement with the Utility, please let me know because other laws will apply.

Let me know if you need anything else.

Pat Hardy