

What you need to know about easements



Utility Easements

An easement is a right to use another person's land for a stated purpose. Easements give the City of Derby and utility companies the right to construct, operate, and maintain their service within the designated area.

Easements are owned by property owners. However, an easement has restrictions and responsibilities for you as an owner or resident. A utility easement may contain any type of utility, including: sanitary sewer, water, telephone, electric, gas, cable, etc. Utilities may be located underground or overhead.

What's allowed in utility easements

You can use a utility easement for most things you would have in your yard, such as gardens, landscaping, and fences.

However, anything in the easement when a utility has to be maintained may have to be removed. Fences, landscaping, gardens and trees are the owner's responsibility.

What's not allowed in utility easements

Don't place anything in the easement that will make it hard for a utility company to maintain or replace their system. Permanent structures need to stay out of easements, including retaining walls, sheds or any type of building. Trees are hard for contractors to work around and roots can damage the underground utilities.

Service Lines

The water and wastewater service lines that connect your home to the public utilities do not require easements. It is the homeowner's responsibility to repair and maintain the service lines on their property. It is wise to use the same caution in building over these private lines as you would for the public utilities.



This shows an example of a well-maintained portion of an easement and an area that is not well-maintained.

Easement Maintenance and Code Enforcement

It is the responsibility of the homeowner to maintain easements in accordance with City Code.

If easements are not maintained, here is what happens:

1. The homeowner may receive a notice of violation from City of Derby Code Enforcement requiring the homeowner to take care of the area in violation within a certain time frame (normally five days).
2. If the homeowner fails to take care of the area, they will receive a final notice from Code Enforcement and given five additional days to take care of the issue.
3. At this point, if the area of violation is not taken care of, the city's contractor will mow or clean up the property, and the homeowner will be billed for the work. If the bill is not paid, it will be added to the homeowner's property taxes.

If you have questions about easements or code enforcement processes, call 788-0301 and ask to speak with a Code Enforcement Officer.

If you have questions, contact Code Enforcement at 788-0301.

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