

CHAPTER 128
EARTHWORK NEAR PIPELINES
S.F. 177

AN ACT relating to the obligation of a pipeline company to stake and mark its pipelines when subsequent earthwork or excavation occurs.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 479.47, unnumbered paragraph 2, Code 1983, is amended by striking the paragraph and inserting in lieu thereof the following:

Before performing earthwork, tiling, or excavation within three hundred feet of an existing pipeline, a landowner, tenant, contractor, or the representative of any one of them shall notify the pipeline company or its representative by calling the pipeline company telephone number listed on the roadside right-of-way marker. The pipeline company shall mark the location of the existing pipeline within forty-eight hours of notification with appropriate marker flags or stakes on the land surface directly above the pipeline for a distance of one hundred fifty feet either side of the proposed work site. Markers shall be placed at twenty-five foot intervals, where physically possible, along the pipeline route indicating the diameter of the pipeline. The pipeline company shall not charge the landowner, tenant, or contractor for the placement of the markers. Excavation, earthwork, or tiling shall not be commenced in that area until the markers are in place and the pipeline company representative is present and has notified the contractor of the depth at the site of crossing. The pipeline company representative shall be present during all the excavation, earthwork, or tiling within the marked area when that area is any one of the following:

- (1) Land located outside the corporate limits of a city.
- (2) Agricultural land within the corporate limits of a city.
- (3) Nonagricultural land within the corporate limits of a city when the pipeline facility is operated at a pressure in excess of one hundred fifty pounds per square inch.

As used in this paragraph agricultural land means land of one or more acres suitable for cultivation for the production of crops, fruit or other horticultural purposes or for the grazing or production of livestock.

Sec. 2. This Act, being deemed of immediate importance, takes effect from and after its publication in the Storm Lake Register, a newspaper published in Storm Lake, Iowa, and in The Cedar Valley Times, a newspaper published in Vinton, Iowa.

Approved May 12, 1983

I hereby certify that the foregoing Act, Senate File 177 was published in the Storm Lake Register, Storm Lake, Iowa on May 21, 1983 and in The Cedar Valley Times, Vinton, Iowa on May 17, 1983.

MARY JANE ODELL, *Secretary of State*