

## ***SEWER LATERALS/SUMP PUMPS***

### **DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***BACKFLOW VALVE.*** A check valve specifically designed to prevent the reverse flow of sewage in a lateral.

***BUILDING SEWERS.*** Sewer, soil pipe and drainpipes constructed within and under buildings.

***CITY ENGINEER.*** The City Engineer of the city is a qualified engineering firm acting as City Engineer of the city or qualified designee.

***PREMISES.*** A lot, parcel of land, building or establishment.

***SEWAGE.*** All water or combination of liquid and water-carried solid or semi-solid waste conducted away from residences, business buildings, institutions and other sources, which is known as domestic sewage, together with liquid or water-carried solid or semi-solid waste resulting from a manufacturing process employed in industrial establishments, including the washing, cleaning or drain water from such process, which is known as industrial waste.

***SEWER or SEWER MAIN.*** Any city-owned sewer pipe within a city street or public right-of-way receiving or intended to receive the discharges of more than one sewer lateral. No sewer main constructed henceforth shall be less than eight inches in diameter nor be laid or constructed in any city street, easement or right-of-way or street, easement or right-of-way under the control of the city, except to the lines, grades and specifications approved by the proper city authority.

***SEWER LATERAL or LATERAL.*** A privately-owned pipeline connecting a building sewer to a sewer main.

### **CITY'S AUTHORITY TO ENFORCE.**

The City Administrator or designee shall be charged with the administration of the sewerage system and the enforcement of the provisions of this subchapter.

### **SEWER LATERALS, CLEANOUTS AND CONNECTIONS.**

(A) All laterals from the building wall to the connection to the sewer main are the property of the owner of the connected building. All property owners whose properties are connected to a sewer main or are otherwise connected to the city's sewer system by sewer lateral shall at their own expense maintain the sewer lateral in a fully functioning condition and ensure the lateral is free of cracks, leaks, inflow or infiltration of extraneous water, root intrusion or open joints. Property owners shall ensure that laterals drain freely to the sewer main without excessive sags that collect grease and sediment.

(B) No person, firm or corporation shall break or cut into or connect to any sewer in any street, easement or right-of-way in the city or under the control of the city without first securing a permit so to do from the City. Prior to beginning work, detailed plans describing the work to be done shall be submitted to and approved by the City Engineer or his or her designee.

(C) Each property utilizing the city's sewer system shall have a separate lateral connected to the sewer main. Notwithstanding the foregoing sentence, branched or common laterals shall be permitted only in the following instances:

(1) Where a lateral is maintained by a homeowner's association or other entity that is party to a formal, recorded lateral maintenance agreement.

(2) Where more than one building or other structure is situated upon the same lot, in which case all buildings and structures may, by permit authorized by the City Engineer, be joined in the use of one connecting sewer; provided that the connection conforms in all other respects to the provisions of this chapter and a drawn plan of the joint connection be first submitted to and approved by the City Engineer. As a further condition of obtaining such a permit, all buildings and structures shall be owned by the same person.

(3) Where, in the opinion of the City Engineer, it is impossible or impractical to connect a building on a single lot to the main sewer except in conjunction with the connection of a building or buildings on other lots, a joint connection may be allowed, provided that the connection conforms in all other respects to the provisions of this chapter and a drawn plan of the joint connection be first submitted to and approved by the City Engineer. A permit for each individual lot covering the identification of the responsible party for maintenance and liability for maintenance and overflow damages shall be required.

(4) Where two or more structures on separate parcels are connected to a branched or common lateral "wye", each property shall be disconnected from the branched or common lateral and a new separate lateral shall be constructed upon the transfer of title of either property by sale.

(D) A cleanout approved by the City Engineer shall be installed and maintained, at the sole expense of the property owner, on all laterals. The installation of the devices shall be required as follows:

(1) When building a new structure on property with an existing lateral, or when otherwise proposing to connect a previously unconnected structure to an existing lateral;

(2) As a condition of approval of any major building remodel project. A major building remodel project is one that is estimated by the city to cost \$50,000 or more;

(3) Prior to the close of escrow when the property is transferred via sale or other transfer of ownership by deed, instrument or writing;

(4) Whenever the city finds that a sewage spill emanating from a lateral has reached public property, including but not limited to a city street or the city storm drain system, or has flowed onto private property owned by another property owner;

(5) Whenever the city finds that a sewage spill emanating from a lateral presents a threat to public health, even if it has not flowed across a property line.

(E) (1) On laterals serving properties where the outlet of a trap for a plumbing fixture is installed or located at an elevation which is less than two feet above the rim of the nearest manhole or other sewer access point uphill from the point of connection of the lateral to the public sewer in any new or existing drainage system, approved types of backflow valves may be required by the City Engineer. The installation of the devices shall be required under the same circumstances as set forth in subsections (D)(1) through (5) of this section.

(2) Where a backflow valve is required, the valve shall be installed in the lateral at the point of lowest elevation of the ground surface along the alignment of the lateral, or at such other location as is permitted by the city, providing that at any such location, the elevation of the ground surface is not less than two feet below the lowest trap served by the building sewer.

(3) The backflow valve shall have cleanouts directly upstream and downstream of the valve. The cleanouts shall be connected to the lateral by means of wye fittings. The backflow valve shall be accessible from the surface and protected by the use of a precast access box of concrete or heavy-duty plastic approved by the City Engineer.

(4) The cleanouts shall be positioned at an elevation at least three inches above the ground in order to prevent the obstruction of the vent opening or the inflow of surface water.

(F) Any owner whose property meeting the elevation criteria of this section that has no backflow valve, or has a defective or improperly installed backflow valve, shall be responsible for all damage that results from the lack of such a device, or the failure of the defective or improperly installed device to prevent such damage.

### **INSPECTIONS AND REPAIRS OF SEWER LATERALS, HOUSE TRAPS, FOOTING DRAINS, AND SUMP PUMPS.**

(A) (1) No foundation drains, sump pumps, roof drains, or catch basins are permitted to discharge to the wastewater system. Unpolluted water must be excluded from the wastewater system.

Property owners shall, at their own expense, inspect, and provide to the city a report of the results of an inspection of, the laterals on their property prepared by a licensed plumber or a qualified and licensed person using closed circuit television (CCTV) inspection or other inspection or test method approved by the City Engineer, and if found defective, repair the lateral, as follows:

(a) When building a new structure on property with an existing lateral, or when otherwise proposing to connect a previously unconnected structure to an existing lateral;

(b) As a condition of approval of any major building remodel project. A major building remodel project is one that is estimated by the city to cost \$50,000 or more;

(c) Prior to the close of escrow when the property is transferred via sale or other transfer of ownership by deed, instrument or writing;

(d) Whenever the city finds that a sewage overflow emanating from a lateral has reached public property, including but not limited to a city street or the city storm drain system, or has flowed onto private property owned by another property owner;

(e) Whenever the city finds that a sewage overflow emanating from a lateral presents a

threat to public health, even if it has not flowed across a property line.

(2) In the absence of a specific deadline, all inspection and testing work shall be completed within 120 days of notification by the city that such inspection is required. Existing laterals shall not be used if they are found to be defective by the inspection or if they fail city mandated tests or if they were constructed of materials deemed unacceptable by the City Engineer.

(B) As part of its periodic construction and maintenance of sewer mains, the city may discover defective laterals. The city may order the property owner to conduct an inspection, repair or replacement of any lateral that the city knows or reasonably suspects to be defective.

(C) The lateral shall be considered defective if it has any of the following conditions: displaced joints, root intrusion, substantial deterioration of the lines, damaged clean-out, defective clean-out, inflow, infiltration of extraneous water, or other conditions likely to substantially increase the chance for a lateral blockage, or if, within a period of one year, a lateral suffers two or more blockages resulting in overflows.

(D) Whenever defective laterals are found, the property owner, at the sole expense of the property owner, shall repair or replace the lateral. The City Engineer shall determine the extent of repair required, and more limited repair than complete replacement of the lateral may be permitted at the sole discretion of the city engineer. The following requirements shall be met.

(1) A replaced or repaired lateral shall not be covered or backfilled until it has been inspected by a representative of the city.

(2) All new and repaired laterals must pass an air pressure test as specified by the City Engineer.

(3) All repaired or replaced laterals shall be brought into compliance with the requirements of City Code. Backflow valves may be required to be installed on laterals meeting the criteria of City Code.

(E) In the absence of a specific deadline established by the responsible authority of the city, all repair or replacement work shall be completed within 120 days, or by agreement with the City and property owner, of notification by the city that such repair or replacement is required. Repair or replacement shall consist of but not be limited to the sewer and water utilities, sidewalk, curb, street, grading and seeding.

(F) When a lateral is completely replaced, inspected and approved by the City, the property owner is not required to inspect the lateral upon sale of the property for ten years following the date of complete replacement of the lateral.

(G) Roots, grease or other material which have accumulated in a lateral cleaned or maintained shall be prevented from entering the sewer main during the maintenance or repair of the lateral. In the event that material is permitted to enter the main causing or contributing to the cause of a sewage spill, the property owner and/or contractor performing such maintenance work, in addition to any criminal penalties imposed, shall be held civilly liable to the city for any fines or other expenses incurred by the city resulting from the spill.

(H) The city shall have the authority to recover from a property owner, the city's expenses incurred in responding to sewer overflows on private property. In addition to any actual expenses incurred by the

City resulting from an overflow, the city may impose civil administrative penalties against a property owner who fails to perform any act required in this section, which failure results in an overflow reaching public or private property other than the property owners property, according to the following schedule:

- (1) Up to \$500 for the first violation.
- (2) Up to \$1,000 for a second violation occurring within three years after the first violation.
- (3) Up to \$2,500 for each additional violation within a three-year period exceeding two violations.

(I) The City Council shall have the authority to establish, waive, suspend or otherwise modify any civil administrative penalty imposed by this section that exceeds the direct costs of the city upon a showing by the property owner of severe financial hardship, or upon a showing that the property owner has satisfactorily repaired the lateral to a degree sufficient to ensure avoidance of further violations.

(J) The provisions of this section shall not be construed to require or obligate the city to enter into a reimbursement agreement if, in the sole discretion of the City Council, to so enter into the agreement would not be in the best interests of the city or would be detrimental to the health, safety or welfare of the city.

(K) (1) Where buildings are to be demolished, the following actions shall be required:

- (a) Determine if the service is to be abandoned or reused in the future; and
- (b) Have the service (lateral) line televised, if records are not on file showing it televised in the past ten years. A city official shall review the video recording and records on file with the city to determine the condition of the sewer lateral. (Typically, the Building Official/Inspector, City Engineer or Streets Department Foreman/Supervisor).

(2) (a) If the service line is to be abandoned but is in good condition with no apparent inflow and infiltration issues (typically either PVC or cast-iron pipe), remove or abandon service line to the property line. Expose the sewer lateral at the lot or curb line and seal/cap the open end to the satisfaction of the authorized city official.

(b) If the service line is to be abandoned and is in poor or failing condition and the street is in poor or failing condition, remove or abandon the service line to the main line in the street. Then remove the "wye" connection at the main line and repair the main sewer line in the street as determined by authorized city official.

(c) If the service line is to be abandon, and is in poor or failing condition but the street is in fair to good condition, remove or abandon the service line from the building to the property line, or as near as possible to the back of the curb, and do either of the following alternative actions with the remainder of the sewer line to the sewer main.

1. Dig down to the lateral, exposing the line at the lot line or close to the curb and install, a city approved membrane liner through the remaining service stub. Seal both ends of the liner and install a seal/cap on the open end at the property or curb line to the satisfaction of the authorized city official.

2. Or, install a city-approved plug in the service line as near the main line pipe as possible. Fill the remaining service stub with a non-permeable grout or sealant and install a seal/cap on the open end of the pipe at the property or curb line to the satisfaction of the authorized city official.

(d) If the service line is needed in the future and the service line is in good condition (typically either PVC or cast-iron pipe) regardless of the street condition, remove or abandon the service line to the property line. Dig down to the lateral, exposing the line at the lot line or close to the curb and install a cap, or seal the open end of pipe at the property or curb line to the satisfaction of the authorized city official. Provide location (ties - minimum of two) to the city official.

(e) If the service line is needed in the future, but is in poor or failing condition and the street is in poor or failing condition, remove or abandon the service line from the building to the mainline. Remove the old connection at the main line and install a new wye and pipe from the main sewer line to the lot line and install a cleanout access at the property line as determined by the authorized city official.

(f) If the service line is needed in the future, but the old line is in poor or failing condition and the street is in good to fair condition, the service line shall be removed or abandon to the property line or curb. Install a sewer cleanout at the property line or near the curb. Connection to the remaining sewer service stub between the sewer cleanout and the main line sewer pipe shall either:

1. Have a city-approved membrane liner installed and have the line capped at the lot line below the cleanout; or

2. Have a city-approved plug installed in the service pipe as near the main line pipe as possible, then filled with a non-permeable, but removable, grout or sealant.

**(L) Stormwater Connection.**

(a) No person shall make connection of roof downspouts, sump pump, or other sources of unpolluted waters such as storm water, ground water, roof run-off, subsurface drainage, unpolluted industrial water, or cooling water to a building sewer or building drain which is connected directly or indirectly to a public sanitary sewer.

(b) **Existing dwellings:** No water from any roof, surface, ground water sump pump, footing tile, swimming pool, or other natural precipitation shall be discharged into the sanitary sewer system. Dwellings and other building and structures which require, because of infiltration of water into basements, crawl spaces, and the like, a sump pump discharge: The sump pump discharge system shall have a permanently installed discharge line which shall not at any time discharge water into the sanitary sewer system, except as provided herein. A permanent installation shall be one which provides for year-round discharge capability to either the outside of the dwelling, building, or structure or is connected to the City storm sewer or discharges through the curb or gutter to the street. It shall consist of a rigid discharge line, without valving or quick connections for altering the path of discharge.

**(M) APPEAL**

The City shall have the power and duty of hearing and deciding requests for waivers from the applicability of the provisions of this ordinance. Where strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration or cause a safety problem., application for a waiver shall be in writing addressed to the City of Proctor. The applications shall identify the property for which the waiver is being applied, the name of the property owner, and describe in detail what characteristics of the subject property create an undue hardship. The City shall have the right to inspect all property to assure their discharge water connection has been removed from the sanitary sewer. Failure to remove said discharge will result in a fine subject to City Ordinance fee schedule listed above.

Ordinance declared adopted this 21<sup>st</sup> day of October, 2019.

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk/Administrator

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