

# DRAFT Technical Memorandum



## Ross Valley Sanitary District Sewer System Improvement Program

**Subject:** Lateral Policy Options

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**Reviewed by:** Gisa Ju, RMC

**Date:** December 14, 2006

RMC has conducted a survey of agencies in the Bay Area, northern California, and the Pacific Northwest regarding their lateral policies as a supplemental item to the preparation of the District's Sewer System Management Plan (SSMP). This work was completed pursuant to Task 3 of the agreement between the District and RMC dated October 2005. Using the information gathered during the survey, this technical memorandum identifies and evaluates potential options for implementing a testing and repair program for private laterals in the RVSD service area.

### 1.1 Introduction

Industry studies show that infiltration and inflow (I/I) from private sewer laterals are a significant component of high wet weather flows in many sewer systems. Private laterals can account for over half the length of the collection system, and are often maintained by property owners only after a major failure occurs. Pilot studies performed by King County, WA, showed that projects which included rehabilitation of private laterals were much more effective at reducing I/I than projects which only rehabilitated sewer mains and manholes. For example, two of the pilot projects which included rehabilitation of private laterals achieved about 75 percent reduction in I/I, while another project that only included rehabilitation of the sewer mains achieved only 37 percent reduction in I/I<sup>1</sup>. This conclusion was also reached in the 2003 Water Environment Research Foundation (WERF) report, *Reducing Peak Rainfall-Derived Infiltration/Inflow Rates – Case Studies and Protocol*.

Flow data over the past ten years shows that RVSD's wastewater flows increase by a factor of ten during wet weather events<sup>2</sup>. These flows exceed local trunk line capacity, which results in surcharging and overflows at some locations in the system in large storm events. Furthermore, service call response logs from 2002 to 2005 indicate that 73 percent of lateral sewer backups are a result of problems originating on private property. Even though the District does not have responsibility for maintenance of sewer laterals, responding to these calls presents a significant resource load on District operations and maintenance staff. Therefore, fixing private laterals which are in poor condition may improve the overall condition of the sewer system and thereby reduce RVSD's wet weather problems and maintenance workload.

### 1.2 Survey Results

A total of 18 agencies that are known to have a lateral policy in place, half of which are in the Bay Area, were surveyed about their lateral policy procedures. **Table 1** lists the agencies that were included in the survey. **Figures 1 through 5** present some generalized findings from the surveys, which are also described briefly below.

<sup>1</sup> *Pilot Project Report, Regional Inflow and Infiltration Control Program, King County, Washington*, King County Department of Natural Resources and Parks, October 2004, p.1-7.

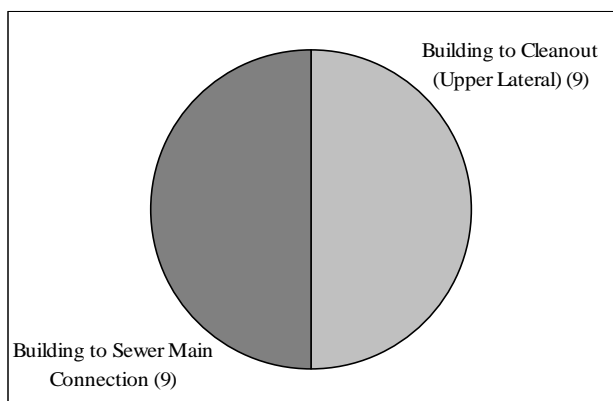
<sup>2</sup> *Sewer System Hydraulic Evaluation and Capacity Assurance Plan*, MWH, August 2006.

**Table 1. Surveyed Agencies**

Agency	Population Served
City of Alameda	74,400
City of Albany	16,400
City of Berkeley	102,700
City of Burlingame	28,000
Castro Valley Sanitary District	55,000
King County, WA	1,300,000
North Tahoe Public Utility District	5,300
City of McMinnville, OR	29,200
City of Pacific Grove	15,600
City of Salem, OR	147,000
City of San Luis Obispo	44,400
City of Santa Barbara	95,000
City of Sausalito	7,500
Stege Sanitary District	40,000
Tahoe City Public Utility District	7,300
Truckee Sanitary District	9,800
Vallejo Sanitation and Flood Control District	117,000
West County Wastewater District	90,000

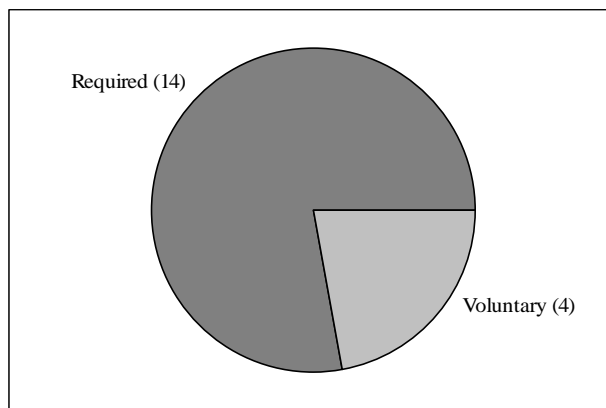
**Question 1. What is the agency's definition of a privately-owned lateral?**

Depending on the agency's policy or legal jurisdiction, the property owner may be responsible for the entire lateral (from the building to the connection at the sewer main) or only the portion located on private property (between the building and the property line cleanout, typically referred to as the "upper lateral"). In the latter case, the agency may take responsibility for rehabilitation only, or for both maintenance and rehabilitation of the lower portion of the lateral. In half of the agencies surveyed, the property owner is responsible for the entire lateral; for the other agencies, the agency takes responsibility for the lower portion of the lateral.



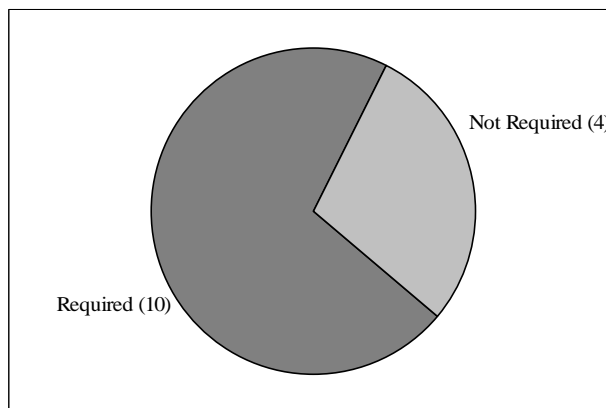
**Question 2. Is lateral testing required in accordance with municipal code?**

Most of the agencies surveyed have a requirement as part of their municipal codes or wastewater ordinance requiring testing or inspection of private laterals under certain conditions.



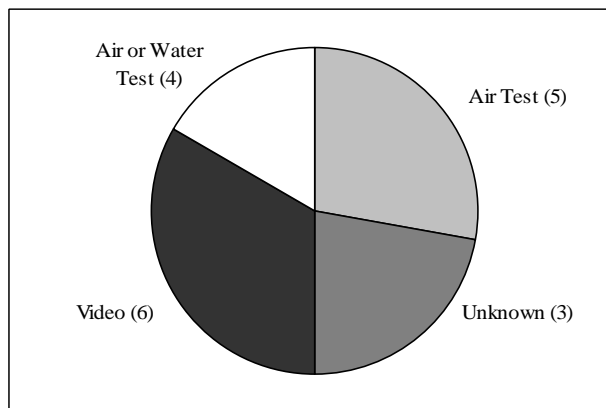
**Question 3. If testing is required, is it required upon sale of property?**

Of those agencies with a lateral testing requirement, most require testing at the sale or transfer of property. Others include additional conditions for testing, such as part of a major building remodel or change in property use.



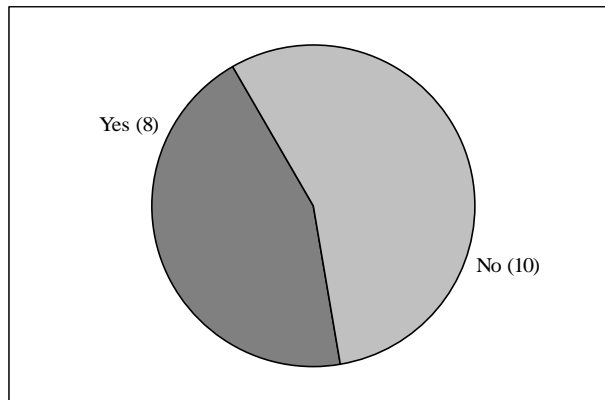
**Question 4. What type of test is acceptable?**

Lateral testing methods include air pressure or water (exfiltration) tests, or video inspection. Air and water tests have specified testing procedures and specified pass-fail criteria. Video inspection is more subjective, relying on the inspector's judgment as to the pass-fail condition, but provides visual evidence of the condition of the lateral and the defects requiring correction.



### Question 5. Is financial assistance offered for lateral testing and/or repair?

Some of the agencies surveyed offer financial assistance, typically in the form of grants, rebates, or loans, for private lateral testing and repair.



## 1.3 Lateral Policy Descriptions

This section groups the lateral policies used by the surveyed agencies into three general categories. An overall description and some benefits and disadvantages for each type of program are given for each category. Example documentation from surveyed agencies is provided in the Appendix.

### 1.3.1 Required Testing and Repair of Private Laterals

Among the surveyed agencies, the most common policy is in the form of an ordinance which requires property owners to test or inspect their lateral based on a number of predetermined conditions, and repair it if necessary. The responsibility for organizing and implementing lateral inspection and repair falls entirely on the property owner. This minimizes the workload for agency employees, who are responsible only for overseeing the tests or inspections and tracking compliance records.

The following list describes the conditions that may require lateral testing or inspection:

1. Prior to close of escrow upon sale of property or at transfer of property ownership;
2. Remodel which exceeds a fixed percentage of property value;
3. Installation of toilet facilities;
4. Change of use of property (e.g. residential to commercial);
5. Repair or replacement of sewer lateral;
6. Addition or demolition of structures;
7. A set frequency (e.g., every ten years) for commercial properties and/or condominiums;
8. If a private lateral experiences a sanitary sewer overflow (SSO);
9. Upon determination of the agency director that testing is required for the protection of public health, safety and welfare.

After a lateral has been targeted by the ordinance, the property owner is responsible for hiring a contractor to conduct the lateral test or inspection, and arranging for an agency inspector to be present to witness the test, and/or providing the video to the agency for review. If the lateral passes the test, a compliance certificate is issued. If the lateral does not pass the test, the lateral must be repaired or replaced according to the standards specified in the ordinance. After the lateral is repaired or replaced, but before backfilling

the area, the lateral must pass a final inspection and/or test. A compliance certificate is then issued that exempts the lateral from testing for a fixed period of time (typically 10 to 25 years). It may be necessary to install a cleanout for proper inspection of the lateral.

If work is not completed in a timely manner (e.g. within 90 days), the property owner may be charged a penalty fee as part of their monthly sewer bill. Property owners in non-compliance may face having a lien placed on their property.

Surveyed agencies that are using this policy include: City of McMinnville, OR; City of Burlingame; Truckee Sanitary District; Stege Sanitary District; City of Pacific Grove; City of Sausalito; North Tahoe PUD; Tahoe City PUD; City of Berkeley; City of Alameda; City of Albany.

### 1.3.2 Required Testing and Repair of Private Laterals with Financial Assistance

The cost of complying with a lateral ordinance is estimated to be \$150 per test and \$2,000-\$5000+ per lateral replacement. For many property owners, this is a financial burden that may keep them from complying in a timely manner. In order to achieve a good response from property owners, thereby maintaining the overall effectiveness of the program, the City of Santa Barbara provides financial assistance to property owners who are required to test and repair their laterals. Rebate incentives, such as reimbursement of a fixed percentage of inspection and repair costs, are awarded to property owners who complete work within a specified timeframe.

The City of Santa Barbara has allocated \$200,000/year in public funds for rebates. A property owner receives \$150 if the lateral passes its inspection test and a rebate for 50 percent of the costs (up to \$2,000) required to repair a lateral.

This type of financial assistance is possible only if the agency has determined that it has the legal authority to use public funds for improvements on private property. The required level of effort by staff is higher than enforcing an ordinance without financial assistance due to the administration of the rebate program.

### 1.3.3 Grant or Loan for Voluntary Inspection and Repair of Private Laterals

Some agencies maintain grant programs that provide financial assistance to property owners that *voluntarily* inspect and repair their laterals. These policies are primarily intended to benefit owners that are proactive about maintaining their lateral in good condition, and generally receive excellent support and participation from the public. The type of grant or loan offered depends on the agency's authority to use public funds on private property.

Of the surveyed agencies, there are two grant options in use:

- *Partial Reimbursement.* Public funds pay for 50 percent of the repair costs (up to \$2,000) or are based on the total length of the replaced lateral.
- *Deferred low-interest loan.* The loan, including any interest, is due and payable upon transfer of property title or subordination of the agency's loan.

The main disadvantage of a grant or loan program is that the program relies on voluntary compliance, and does not offer any assurance that system-wide lateral issues will be addressed in a timely manner. Also, the program does not grant the agency the legal authority needed to target areas with specific I/I problems. Agencies that strive to reduce I/I have suggested that this policy should be coupled with an ordinance requiring inspection and repair based on findings from flow monitoring studies.

Surveyed agencies that are using this policy include: Castro Valley Sanitary District (CVSD), West County Wastewater District (WCWD), City of Pacific Grove, City of San Luis Obispo; and Vallejo Sanitation Flood Control District (VSFCD).

### 1.3.4 Lateral Rehabilitation or Replacement as part of a Public Project

In the preceding two cases, the responsibility of organizing and implementing lateral inspection and repair falls on the property owner. Also, the agency has no ability to target specific areas of the system for lateral repair. Sometimes, however, it may become necessary for an agency to take a more active and immediate role in lateral rehabilitation.

The City of Salem, Oregon, has historically experienced significant I/I from private laterals. Salem's approach to remediation has been to conduct pilot studies to investigate the exact source of I/I and then implement a program to eliminate I/I sources throughout the City. Over the years, this approach has resulted in City-wide initiatives such as smoke testing and inflow elimination, lateral replacement, and installation of basement pumps to prevent flooding from main lines. In all cases, property owners were given deferred no-interest loans, which were repaid upon transfer of the property title.

Policies such as this are usually adopted in response to EPA mandates or other court orders. The agency has control over which laterals are replaced, and when. As a result, such a policy is the most effective in reducing I/I from private laterals. However, this approach may require high expenditure of agency funds to implement private lateral rehabilitation.

Many agencies take a modified approach in which they may rehabilitate or replace the *lower* laterals whenever the public sewer main is rehabilitated or replaced, even though they may not assume any future maintenance or repair responsibility for the rehabilitated lower lateral. RVSD's policy on recent sewer rehabilitation projects is to include replacement of the lower laterals as part of the public sewer construction work.

## 1.4 Lateral Policy Recommendations

### 1.4.1 Selecting an Appropriate Lateral Policy for RVSD

During the August 2006 SSMP workshop with RVSD staff, discussions were conducted to determine which factors were most important in establishing a workable lateral policy for RVSD. Based on input from District staff, criteria for evaluating lateral policy options were identified. The following five factors were defined for purposes of comparing lateral policy options in this technical memorandum:

- *Staff Requirements.* Determined by the relative amount of time required by administrative, inspection, and field crew staff to implement the policy.
- *Effectiveness in Reducing I/I.* Determined by the ability of the policy to directly address areas that are known to have high I/I.
- *District Cost.* Determined by the estimated investment to implement the policy, such as for financing rebates, conducting pilot studies, smoke testing, and other inflow elimination. In order not to overlap with the Staff Requirements factor, it does not include the cost of labor.
- *Legal Authority.* Determined by the degree of legal authority required to implement the policy, such as having the authority to:
  - Use public funds for improvements on private property;
  - Enforce the policy by means of a new or existing ordinance.

- *Public Acceptance.* Determined by the ease at which the policy will be accepted by the public and other stakeholders. Public acceptance is directly related to the requirements for testing and repair, how the policy will be funded, and who will be responsible for organizing testing and repair.

These factors were incorporated into a decision matrix, which was used to calculate ratings for the following lateral policies options:

- Option A: Ordinance requiring testing and repair for specified conditions
- Option B: Ordinance requiring testing and repair for specified conditions w/ financial assistance
- Option C: Voluntary testing and repair w/ financial assistance
- Option D: Private lateral rehabilitation or replacement as part of a public project

The most important factors identified by District staff, “minimizing staff requirements”, as well as “effectiveness in reducing I/I”, were given a higher weighting than the remaining factors. The decision matrix and scores are presented in **Table 2**.

**Table 2. Lateral Policy Option Decision Matrix**

Criteria	Weight	Criteria Score			
		Option A	Option B	Option C	Option D
Staff Requirements	2	4	2	3	1
Effectiveness in Reducing I/I	2	2	2	1	4
District Cost (does not include labor)	1	4	2	3	1
Legal Authority	1	3	1	2	2
Public Acceptance	1	2	3	4	4
<b>Weighted Score</b>		<b>21</b>	<b>14</b>	<b>17</b>	<b>17</b>

1=Strongly disfavors the option, 2=Somewhat disfavors the option,  
3=Somewhat favors the option, 4=Highly favors the option

The decision matrix results suggest that the most viable policy for RVSD to implement would be an ordinance requiring testing and repair under specified conditions. The main reason this option is favored is that it requires the lowest commitment of the District’s staff and financial resources while still achieving a moderate effectiveness in reducing I/I. It is noted, however, that this option gets a lower score for Public Acceptance. This means that public education and involvement will be critical to the policy’s success. A financial assistance program is not optimal, as it would add to the District’s staffing and financial burden and possibly present additional legal issues. These points are discussed in further detail below.

#### 1.4.2 Issues to Consider when Implementing a Lateral Policy

While developing and implementing a new ordinance which requires testing and repair of private laterals, the following issues should be considered:

- Under what conditions will testing and repair be required?
- How will the public and other stakeholders react to the new policy?
- How will the ordinance be enforced?

### Conditions for testing and repair

In order for the lateral policy to be effective in reducing I/I, it is important that an ordinance grants the agency the legal authority to require inspection and repair of any lateral, given a set of conditions. The District needs to consider which conditions will target appropriate areas of the District at a frequency which is regular enough to be effective but not unnecessarily problematic to the public. At a minimum, the following conditions should be included in RVSD's ordinance:

- *Upon determination of the District that testing is required for the protection of public health, safety and welfare.* This condition could be used to initiate inspection of areas with high I/I or for laterals that experience SSOs or chronic blockages if the District deemed it necessary.
- *Inspection and any required repair prior to close of escrow upon sale of property.* Although the most controversial, this condition is highly effective in that it sets a timeframe on required lateral work. Once the system is established, satisfaction of escrow requirements would lead to compliance with minimal effort by the District. Inspection and repair fees would typically be wrapped into closing costs, at a time when property owners have available capital. Over 70 percent of the agencies surveyed include this condition in their ordinance.
- *Inspection and any required repair upon remodel which exceeds a fixed percentage of property value.* The most common type of construction in RVSD coverage area involves partial or complete housing remodels. Currently, RVSD requires property owners to inspect their laterals under their demo/rebuild permit; often, property owners do not invoke this requirement because they leave a very small portion of the original building intact. This condition would enable RVSD to be more stringent in regards to remodels by requiring lateral inspection and repair if the remodel exceeds a smaller percentage of the property value than as stated in the demo/rebuild permit.

### Meeting stakeholder needs

Based on conversations with surveyed agencies and other agencies that may not have a working lateral policy, the most significant problem that impedes implementation of a lateral policy is inadequate communication with the public. When the intent and benefits of a lateral policy are not clearly conveyed to the public throughout the entire implementation process, the benefits of the resulting inspection and repair requirements are sometimes overshadowed by other issues.

A critical step in developing a successful lateral policy is to establish communication with the public and other stakeholders from the very beginning of policy development. Gaining approval and getting essential feedback from the real estate community is of the utmost importance. Garnering support from local environmental groups, who are generally supportive of new policies that aim to reduce SSOs, is also essential. It must be communicated that lateral replacement programs offer protection to homebuyers and that implementation can be structured to minimize issues which may arise during the home sale.

In addition to updates at board meetings, a brochure that describes the step-by-step process for compliance and answers to commonly-asked questions is a useful communication tool. Such brochures are usually distributed to the public and stakeholders by mail, and also posted on the agency's website. Example brochures are included in the Appendix.

The importance of public outreach before implementing a lateral policy cannot be overemphasized.

### Policy enforcement

Establishing and enforcing legal authority are fundamental components of a successful lateral program. There are many degrees and methods of enforcement amongst the surveyed agencies. For example, Stege Sanitary District, like many agencies, relies on self-enforced compliance by realtors and property owners. It then uses SFGate.com to track house sales in its coverage area and follows up with property owners

who have not complied. The City of Berkeley tracks property sales through its sales tax and seismic monitoring requirements, which are obtained from the assessor's office. RVSD will need to consider these options and decide on a systematic procedure for enforcing their lateral requirements.

## Appendix A: Example Ordinances

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE MUNICIPAL CODE BY ADDING CHAPTER 14.46 (BUILDING SEWER INSPECTIONS) AND REPEALING SECTIONS 14.40.005, 14.40.050, AND 14.44.170 OF TITLE 14, AND AMENDING SECTION 28.87.220 OF CHAPTER 28.87 OF THE SANTA BARBARA MUNICIPAL CODE PERTAINING TO A SEWER INSPECTION PROGRAM, OTHER SEWER REQUIREMENTS AND WITH RESPECT TO ZONING INFORMATION REPORTS.

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

**SECTION ONE.** Title 14 of the Santa Barbara Municipal Code is amended by adding a new chapter, Chapter 14.46 with respect to properly maintained Building Sewer Laterals, which chapter reads as follows:

**14.46.010 Definitions.**

Unless the context indicates otherwise, the following definitions apply to the use of the following terms for the purposes of this Chapter 14.46:

**A. BUILDING SEWER LATERAL.** That part of the horizontal piping of a drainage system which extends from the end of the building drain and which receives the discharge of the building drain and conveys it to a public sewer, private sewer, individual sewage disposal system, or other point of disposal. For the purposes of this Chapter, a Building Sewer Lateral shall also include a Septic Tank if one exists upon the Property and it is in use.

**B. BUILDING SEWER INSPECTION.** An inspection of a Building Sewer Lateral that consists of the retention of a licensed plumber (as certified under Section 14.46.050) by the Owner in order to visually examine and inspect a Building Sewer Lateral

in the manner deemed appropriate by the City Public Works Director. Such an inspection shall, at a minimum, include the use of a closed-circuit television inspection device for the purposes of determining whether the Building Sewer Lateral complies with the requirements of this Chapter, the Regulation adopted under Section 14.46.080, and any applicable state laws.

**C. COMMERCIAL PROPERTY.** Any real property not used for residential purposes and not a Common Interest Development.

**D. COMMON INTEREST DEVELOPMENT.** A development characterized by individual ownership of a condominium housing unit or a residential parcel coupled with the shared ownership of (or right to use) common areas and facilities including, but not limited to, condominium projects, community apartment projects, stock cooperatives and planned unit developments which contains three (3) or more dwelling units and which has a Building Sewer Lateral shared by three (3) more dwelling units.

**E. NOTICE TO REPAIR.** The notice issued by the City Public Works Director to the Owner advising that the Owner appears to be in violation of the Santa Barbara Municipal Code with respect to the Owner's Building Sewer Lateral or in violation of the Code in the manner of Building Sewer Laterals connection to the City sewer system which order directs the abatement of the identified apparent violation in a timely manner.

**F. OWNER.** Any person, partnership, association, corporation or fiduciary having legal title (or any partial interest) in any real property situated within the City.

**G. SEPTIC TANK.** As the term is defined in Santa Barbara Municipal Code Section 14.34.100.

#### **14.46.020 Maintenance of Private Building Sewer Laterals.**

**A. MAINTENANCE OF BUILDING SEWER LATERALS.** Each Owner shall maintain his or her Building Sewer Lateral(s) free of displaced joints, open joints, root intrusion, substantial deterioration of the line, cracks, leaks, inflow, or infiltration of extraneous water, root intrusion, grease and sediment deposits, or any other similar conditions, defects, or obstructions likely to cause or increase the chance for blockage of the Building Sewer Lateral.

**B. MAINTENANCE OF SEPTIC TANK.** Each Owner shall maintain his or her Septic Tank free of deterioration, corrosion, damage,

disposal failure or any other similar deficiencies or defects likely to increase failure of the Septic Tank.

**C. GENERAL MAINTENANCE REQUIREMENTS.** The maintenance obligation imposed by this Section shall be in addition to and supplemental of the general private sewer system maintenance obligations imposed by Section 14.44.160 of this Code.

#### **14.46.030 Building Sewer Inspections - Access to Premises.**

The Public Works Director or the City Health Officer (or any designated representative thereof) is hereby authorized to inspect any Building Sewer Lateral in use within the City and connected to the City sewer system for the following purposes:

1. To determine the size, depth, and location of any sewer connection.
2. To determine the end outlet of any sewer connection by depositing harmless testing materials in any plumbing fixture attached thereto and flushing the same, if necessary.
3. To determine, by measurements and samples, the quantity and nature of the sewage or waste water being discharged into any sewer.
4. To determine the location of the roof, swimming pool, floor and surface drains and whether or not they physically connect to a sewer.

Nothing herein shall be deemed to provide the Public Works Director (or the Director's designee) with any right or authority to enter a building or other apparently private or interior area of a real property, except to the extent such entry is expressly authorized by state law.

#### **14.46.040 Mandatory Building Sewer Inspections.**

**A. HEALTH AND SAFETY BASIS FOR REQUIRING A BUILDING SEWER LATERAL INSPECTION.** An Owner shall have the Building Sewer Lateral of his or her real property inspected in accordance with the requirements of this Chapter (as directed and within the time period indicated by the Public Works Director) upon the occurrence of any of the following events:

1. **Overflow or Malfunction.** Whenever the Public Works

Director has sufficient evidence (as determined by the Director) that the Building Sewer Lateral has recently overflowed or has recently malfunctioned;

**2. Lateral Failure or Lack of Maintenance.** Whenever, based on sewer system testing conducted by the City (of either the Building Sewer Lateral or the City's public sewer system), the Public Works Director finds that there is sufficient evidence to conclude that the Building Sewer Lateral has failed, is likely to fail, or has not been properly maintained.

**3. Public Health Threat.** Upon any other reasonable cause to believe that there is a threat to the public health, safety, or welfare due to the condition of a Building Sewer Lateral.

**B. EVENTS REQUIRING A BUILDING SEWER LATERAL INSPECTION - RESIDENTIAL PROPERTIES.** An Owner shall have the Building Sewer Lateral of his or her residential Property inspected in accordance with the requirements of this Chapter upon the occurrence of any of the following events:

**1. Home Additions.** Prior to the issuance of a City building permit for a residential building addition or new improvements on the real property in excess of four (400) hundred square feet of habitable space as that phrase is defined in the Uniform Building Code;

**2. New Plumbing Fixtures.** Prior to the issuance of a City building permit for two or more new plumbing fixtures attached to the Building Sewer Lateral upon the residential Property.[For the purposes of this section, the phrase "new plumbing fixtures" shall refer only to an increase in the number of plumbing fixtures in use on the real property prior to the application for a building permit for the "new" plumbing fixtures.]

**C. SCHEDULE FOR LATERAL INSPECTIONS - NON-RESIDENTIAL AND COMMON INTEREST DEVELOPMENT REAL PROPERTIES.**

**1. Non-Residential Properties.** An Owner or Owners of a non-residential property within the City shall have that Property's Building Sewer Lateral(s) inspected in accordance with the requirements of this Chapter once every ten (10) years beginning January 1<sup>st</sup> of the year following the adoption of the Ordinance first enacting this Chapter.

Within each ten (10) year period of time, such lateral inspections shall occur in accordance with and not later than the City-wide area map and schedule attached to this Chapter as Exhibit 1 in the order and by district as established on Exhibit 1. [For the purposes of this section, a property which has a mixture of allowed residential and non-residential uses shall be considered a non-residential property with respect to its compliance with the sewer lateral inspection requirements of this section.]

**2. Common Interest Developments.** The Owner or Owners of a Common Interest Development shall have that Property's Building Sewer Lateral(s) inspected in accordance with the requirement of this Chapter once every ten (10) years beginning January 1st of the second year following the enactment of the Ordinance first enacting this Chapter. Within each ten (10) year period of time, such lateral inspections shall occur in accordance with and not later than the City-wide area map and schedule attached to this Chapter as Exhibit 1 in the order and by district as established on Exhibit 1.

**D. EXCEPTION TO INSPECTION FOR RECENT PRIOR INSPECTIONS AND REPAIRS.** The following are exceptions to the Inspection requirements of subparagraphs (B) and (C) above:

**1. PRIOR REPLACEMENT OF SEWER LATERAL.** An Owner otherwise required to perform a Building Sewer Lateral inspection under Section 14.46.040(B) or (C) hereof shall not be required to perform such an inspection if the Owner (or the Owner's predecessor-in-interest) has originally installed or has replaced his or her Property's Building Sewer Lateral within a twenty (20) year prior to the date of the application for a building permit.

**2. PRIOR INSPECTION OR REPAIR OF A BUILDING SEWER LATERAL.** An Owner otherwise required to perform an inspection under Section 14.46.040(B) or (C) shall not be required to perform such an inspection if the Owner has either completed a remedial inspection (conducted in accordance with the Inspection requirements of this Chapter) or completed a permitted repair of the Building Sewer Lateral within the three (3) years prior to the date the inspection would otherwise be required.

**14.46.050 Requirements for a Proper Building Sewer Lateral Inspection Report.**

**A. INSPECTION REPORT STANDARDS.** The Building Sewer Inspection Reports required by this Chapter shall be prepared in accordance with the following requirements and specifications:

1. The Inspection Report shall be prepared by a licensed plumber;
2. The Inspection Report shall identify all of the following:
  - a. Any of the following conditions: displaced joints, open joints, root intrusion, substantial deterioration of the line, cracks, leaks, inflow or infiltration of extraneous water, root intrusion, grease and sediment deposits or other conditions likely to increase the chance for blockage of the Building Sewer.
  - b. Whether any connection, by pipes or otherwise, allows rainwater or groundwater to enter the Building Sewer or public sewer.
  - c. Whether the Building Sewer has an installed backwater device where any outlet or trap of the Building Sewer is below the level of the nearest manhole. If a backwater device is already installed, the report shall indicate whether the backwater device is functioning properly.
  - d. Where the Building Sewer includes a Septic Tank, the report shall identify the extent to which the Septic Tank is deteriorated, corroded, damaged, whether the disposal field has failed or any other relevant deficiency.
3. The Inspection Report shall contain an express certification from the certified inspector that the property has been inspected for any outdoor drain connection to the City sewer system and that no such unpermitted connection is present. It shall also contain either a videotape or DVD of the video inspection of the Building Sewer Lateral in a format acceptable to the City, as established by the City regulations.

B. COMPLIANCE WITH REGULATIONS. The Inspection Report shall, in all other aspects, comply with the requirements and specifications described in the Public Works Director's specifications for a Building Sewer Lateral Inspection Report as established by the regulations authorized under Section 14.46.080 hereof.

**14.46.060 Required Building Sewer Lateral Repairs.**

A. NOTICE TO REPAIR. Upon receipt of the Building Sewer Inspection report pursuant to this Chapter, the Public Works Director (or his or her designee) will determine whether it indicates any deficiencies in the operation of the Building Sewer Lateral and, thereafter, shall provide the Owner(s) with a Notice to Repair or Replace as may be deemed appropriate by the Director. The Notice to Repair/Replace shall specifically identify the deficiencies to be corrected and shall establish a deadline within which the Owner(s) shall complete the required corrective actions. The corrective action may include a requirement that the lateral be replaced altogether and also may include the installation of cleanouts and backwater valves if those devices are otherwise required by this Code or any uniform code adopted by the City.

B. OBLIGATIONS OF THE OWNER. The Owner shall repair his or her Building Sewer Lateral to the satisfaction of the Public Works Director, and, if a building permit is required for the repairs, the Owner shall obtain a final permit inspection and approval of the City Building Official.

C. REPAIRS UPON OTHER PROPERTIES NOT REQUIRED. If a Building Sewer Lateral traverses private property other than the Owner's Property, the Owner shall only be responsible for the repairs to that portion of the Building Sewer Lateral that are upon the Owner's Property and also to that portion of the Building Sewer within a public right-of-way.

**14.46.070 Common Interest Developments.**

The homeowners association of a Common Interest Development shall, along with the Owner, be jointly and severally liable for the duties and obligations imposed by this Chapter 14.46 in relation to any Building Sewer Lateral located within in a common area of the Development. If no home owners association exists, then the individual unit owners, both jointly and individually, shall be liable for the duties and obligations with respect to Building Sewer Laterals established by this

Chapter.

**14.46.080 Administrative Guidelines for Inspections.**

Within Ninety (90) days of the adoption of the ordinance enacting this Chapter, the Public Works Director shall prepare and promulgate to the public administrative guidelines which shall, among other things, establish the following:

1. A certification program for licensed plumbers who will be accepted by the City to perform Inspections and the basis obtaining such a certification or a for decertification;
2. Develop a standard Inspection report form and specifications for Building Sewer Inspection reports; and
3. Establish a Notice format and standard enforcement timelines for the Notice to Repair and for repair and inspection service of that Notice in a manner consistent with the requirements of due process. Such administrative guidelines shall be approved by a resolution of the City Council.

**SECTION TWO.** Chapter 14.40 of Title 14 of the Santa Barbara Municipal Code is amended by repealing Sections 14.40.005 and 14.40.050.

**~~14.40.005 Statement of Policy.~~**

~~—Recognizing that the presently existing order of the Regional Water Quality Control Board, pursuant to California State Water Code Sections 13020, et seq., forbidding new sewer connections in this City will require placing upon the ballot for action of the electorate, at the time of the general election of November 7, 1972, a proposition authorizing the issuance of revenue bonds to construct and maintain a new waste water reclamation plant, the City Council finds it necessary to public welfare to provide increased sewer service charges for bond service and operation and maintenance of the said new plant to be proposed. Alternatively, if the said proposition fails of passage, the said increased rates will be required for a period of one (1) year in order to liquidate contractual obligations of the City for engineering services rendered or to be rendered in connection with construction of the waste water reclamation plant to be proposed.~~

**~~14.40.050 Inspection.~~**

~~—Authorized personnel of the City shall have the right of entry at any reasonable time for the purpose of inspecting any premises to determine compliance with the provisions of this~~

~~chapter.~~

**SECTION THREE.** Chapter 14.44 of Title 14 of the Santa Barbara Municipal Code is amended by repealing Section 14.44.170.

**~~14.44.170 Inspections — Access to Premises.~~**

~~The Public Works Director or the Health Officer of the County or any authorized representative of either the Public Works Department or the Health Department is hereby authorized to make such inspections as such Department may deem necessary at any reasonable time in any building, premises or lot for any of the purposes hereinafter mentioned in this section. No person shall interfere with, prevent or refuse to permit such authorized persons to enter any building, premises or lot at any reasonable time for any of the following purposes:~~

~~—— (1) To determine the size, depth and location of any sewer connection.~~

~~—— (2) To determine the outlet of any sewer connection by depositing harmless testing materials in any plumbing fixture attached thereto and flushing the same, if necessary.~~

~~—— (3) To determine by measurements and samples the quantity and nature of the sewage or waste water being discharged into any sewer.~~

~~—— (4) To determine the location of the roof, swimming pool, floor and surface drains and whether or not they connect to a sewer.~~

**SECTION FOUR.** Section 28.87.220 of Chapter 28.87 of Title 28 of the Santa Barbara Municipal Code is hereby amended to read as follows:

**28.87.220 Zoning Information Reports.**

**1. STATEMENT OF LEGISLATIVE INTENT.**

These regulations are intended to require a Zoning Information Report for purchasers of residential property, setting forth matters of City record pertaining to the authorized use, occupancy, zoning and the results of a physical inspection of the property. Primary purpose of the report is to provide information to the potential buyer of residential property concerning the zoning and permitted use of the property.

## **2. DEFINITIONS.**

a. "Owner" shall mean any person, co-partnership, association, corporation or fiduciary having legal or equitable title or any interest in any real property.

b. "Residential property" shall mean any improved real property, designed or permitted to be used for any residential purpose, situated in the City and shall include the building or structures located on said improved real property.

c. "Agreement of sale" shall mean any agreement or written instrument which provides that title to any property shall thereafter be transferred for consideration from one (1) owner to another owner.

## **3. REPORT REQUIRED.**

a. **Application.** No later than five (5) days after entering into an "agreement of sale" of any residential property, the owner or owner's authorized representative shall make application to the City for a Zoning Information Report to the Community Development Director on a form provided, and pay a fee as established by resolution of the City Council.

Under normal circumstances the report will be available no later than fifteen (15) working days after the application is received by the Community Development Director.

b. **Copy to Buyer.** Said owner or owner's authorized representative shall provide a copy of the report to the buyer or buyer's authorized representative no later than three (3) days prior to consummation of the transfer of title. The buyer or buyer's authorized representative may waive in writing the requirement for delivery three (3) days prior to consummation of the transfer of title but in any event the report shall be provided to the buyer or buyer's authorized representative prior to the consummation of the transfer of title.

c. **Proof of Receipt.** Proof of receipt of a copy of the report shall be obtained by the owner or owner's authorized representative prior to consummation of the transfer of title. Said proof shall consist of a statement signed by the buyer or buyer's authorized representative stating that the report has been received, the date of the report and the date it was received. City shall provide a receipt form with each zoning information report. The original of the signed proof of receipt shall be mailed or delivered to the Community Development

Director of the City no later than the consummation of the transfer of title.

#### 4. CONTENTS OF ZONING INFORMATION REPORT.

The Community Development Director shall review the applicable City records and provide the applicant the following information on the Zoning Information Report:

- a. Street address and parcel number of the property.
- b. The zone classification and permitted uses as set forth in the Zoning Ordinance of the City of Santa Barbara.
- c. Occupancy and use permitted as indicated and established by records.
- d. Variance, special use permits, conditional use permits, modifications and other administrative acts of record.
- e. Any special restrictions in use or development which are recorded in City records and may apply to the property.
- f. Any known nonconformities or violations of any ordinances or law.
- g. The results of a physical inspection for compliance with the Zoning Ordinance and for compliance with Chapter 14.46 of this Code.
- h. A statement of whether the real property has had a Building Sewer Lateral Report prepared for the real property pursuant to the requirements of Santa Barbara Municipal Code Chapter 14.46 within the five (5) year period prior to the preparation of the Zoning Information Report and, if so, that a copy of the Building Sewer Lateral Report is available from the City for the buyer's inspection. Otherwise, all Zoning Information Reports shall also contain an advisory statement (in bold not less than 10 point typeface) prepared by the Public Works Director which advises a purchaser of residential real property regarding the potential problems and concerns caused by an inadequate, failing, or poorly maintained Building Sewer Lateral. In addition, the standard required advisory statement shall indicate the advisability of a purchaser obtaining a recently prepared Building Sewer Lateral Inspection Report.

**5. VIOLATION OF LAW NOT PERMITTED.**

Any report issued pursuant to this section shall not constitute authorization to violate any ordinance or law, regardless of whether the report issued pursuant to this section purports to authorize such violation or not.

**6. EXPIRATION OF REPORT.**

Each report shall be valid for a period of twelve (12) months after date of issue or until a transfer of title occurs, whichever is sooner.

**7. EXEMPTION.**

The provisions of this section shall not apply to the first sale of a residential building located in a subdivision whose final map has been approved and recorded in accordance with the Subdivision Map Act not more than two (2) years prior to the first sale.

**8. EFFECT OF NONCOMPLIANCE.**

The failure to comply with the provisions of this Section shall not invalidate the transfer or conveyance of real property to a bona fide purchaser or encumbrancer for value.

**SECTION FIVE.** The requirements of subsection (B) of Santa Barbara Municipal Code Section 14.46.040, as codified by the adoption of this Ordinance, shall not be applicable until January 1, 2007.



STEGE SANITARY DISTRICT

SEWER LATERAL  
COMPLIANCE PLAN

Standards & Procedures

2005

# STEGE SANITARY DISTRICT

## Sewer Lateral Compliance Plan

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# **STEGE SANITARY DISTRICT**

## **Sewer Lateral Compliance Plan**

### **Section 1 – General**

In its enforcement of the 1972 Federal (EPA) Clean Water Quality Act, and the requirement to control sewage overflows that might eventually enter the San Francisco Bay, the Regional Water Quality Control Board (RWQCB) issued a cease and desist order (CDO) in 1985 to the East Bay Municipal Utility District (EBMUD), the Stege Sanitary District (SSD), and other East Bay Communities that convey wastewater to the EBMUD Treatment Plant. The affected jurisdictions jointly developed a compliance plan to address overflows and the CDO. The plan used a broad based Sewer System Evaluation Study which was completed in 1985. The agencies developed I/I Correction Programs subsequent to the study. This document, “Sewer Lateral Compliance Plan,” is consistent with the original I/I Correction Programs.

There has been an increasing concern about sanitary sewer overflows (SSOs) in recent years. The United States Environmental Protection Agency (EPA) drafted regulations in the 1990s concerning collection systems and SSOs, but these regulations have not been formally adopted. However, State and local agencies have taken the lead since 2000, and requirements similar to those drafted in the 1990s are now a reality in the San Francisco Bay Area and much of California. There are strict SSO reporting requirements, a much greater scrutiny of collection system operations and practices, and many third party lawsuits have been served on local agencies. Since laterals can contribute as much as 70 percent of total infiltration into sewers, potentially using reserve capacity and causing or contributing to SSOs, they must be addressed as part of an overall sewer system management plan to prevent SSOs. Previous Stege studies (Sub Basin N work in 1987) have indicated that laterals can be the most significant problem and source of inflow and infiltration (I/I) into Stege sewers. This is a problem not only regarding SSOs, but also affects the operation of downstream EBMUD facilities. In fact, the EPA and San Francisco Bay Regional Water Board have indicated, in draft permits of EBMUD facilities, that they will soon require that Stege develop a lateral program to address I/I concerns. The need for a plan to fairly and appropriately replace defective laterals is clear.

The purpose of this plan is to establish fair and consistent policies and procedures for the testing, repair, and replacement of all defective sewer laterals. To effect the purposes of this plan, the District may enter upon private property for inspecting, testing, and repair of the sewer laterals.

A sewer lateral is defined as the portion of the sewer serving a property starting at the structure or building and running to and including the connection to the District main line. The sewer lateral is owned by the property owner, who is also responsible for all lateral maintenance and repair. This plan does not reduce, negate, change, modify, or eliminate this basic understanding.

## **Section 2 – Definitions**

Certificate of Compliance. A certificate issued by the District certifying that sewer lateral complies with District Standards.

Deficiency Report. A report form issued by the District that documents a sewer lateral does not comply with District Standards and that corrective action is required.

Shared Sewer Lateral. A shared lateral serves more than one lot or parcel or more than one building or structure on the same parcel and connects to the District main line at one point.

Cleanout. A cleanout is a privately owned device installed on a lateral to provide access for general maintenance such as, cleaning or inspection.

Lateral. A lateral is the pipe that carries wastewater from a structure, or any other facility being provided sewer service, to the main line sewer pipe. The lateral extends from the main line sewer to the exterior wall of a structure or other facility. The lateral may also be called “sewer lateral”.

Main Line Sewer. The main line sewer is a sewer line constructed to connect several laterals and serves more than one property or parcel. A main line sewer is a District main line if it is located in a public right-of-way or in a publicly-owned easement; otherwise it is a private main.

## **Section 3 – Compliance Inspection**

Visual inspection of sewer laterals will be aided by the use of Closed-Circuit Television (CCTV) video inspection. The District will notify the property owner(s) and tenants regarding a sewer lateral inspection before conducting the inspection, if the inspection is generated as part of a District project. The inspection of lateral may be initiated by any of the following:

### **◆ District Sewer Rehabilitation Projects**

The project-by-project inspection program will not preclude the District from testing sewer laterals in conjunction with other projects anywhere in the District. It does not preclude a property owner from testing their sewer lateral at any time and making repairs at their expense.

### **◆ Repair of the Sewer Lateral**

Whenever a sewer lateral fails during normal usage or is broken into before making any repair to the sewer lateral.

### **◆ Sale of Property**

Whenever a property is to be sold or there is a transfer of title, a sewer lateral “Certificate of Compliance” must be obtained. The procedures herein must be followed by the property owner to obtain a Certificate of Compliance.

◆ **Issuance of a Building Permit**

When a building permit is issued by a City or County requires compliance with all applicable Codes.

## **Section 4 – Compliance**

The sewer lateral will be evaluated based upon a review and evaluation of visual defects from video inspection records. District staff will perform this evaluation and determine if the lateral complies with District Standards. Broken pipe, offset and/or distorted joints, root intrusion, lack of cleanouts, all constitute deficiencies that do not comply with District Standard Specifications and will require either repair or replacement.

Repairs or replacements will be required prior to the close of escrow in the case of property transfer, or within one month of District issuance of a deficiency report.

## **Section 5 – Lateral Work**

The property owner shall be responsible for making any and all repairs and replacements of the sewer lateral. All work shall be done according to standards in the latest edition of the District Ordinance Code, the District Standard Specifications and Drawings, and any standards issued by the District Manager. Repairs must bring the lateral into full compliance with these standards.

### **Shared Sewer Lateral**

If the sewer lateral is shared with other properties or structures, the necessary repairs, separation of the system, or relocation of the system will be as approved by the District Manager or his representative.

Such work shall be done according to standards issued by the District Manager, and in the latest edition of the District Ordinance Code and Standard Specifications and Drawings.

## **Section 6 – Permits Required and District Inspection**

### Permits

The property owner, or property owner's contractor, must obtain a Sewer Permit from the District before any work is done on sewer laterals. Failure to obtain the Permit shall subject the property owner to a monetary penalty as set forth in the District Ordinance Code and/or such further and different penalties as set forth by the District. The property owner is responsible for obtaining permits. Encroachment Permits from the appropriate agency (El Cerrito, Richmond or Contra Costa County) may also be needed if any work is performed in the public right-of-way.

### Inspection

Inspection procedures and requirements shall be according to standards issued by the District Manager and the District Standard Specifications.

### Fees

Fees and charges for the Permit, inspection, penalties, and issuance of “Certificates of Compliance” shall be in accordance with the District’s Ordinance Code.

## **Section 7 – Certification of Sewer Laterals**

### Certificate of Compliance

A Certificate of Compliance will be issued by the District when a lateral complies with District Standard Specifications as determined upon completion of a successful test.

The District will maintain a record of all certificates issued, including the date of issuance. A Certificate will be valid until subsequent testing is performed and a new Certificate issued, or ten (10) years, whichever comes first.

Certificates will be filed with the Contra Costa County Recorder’s Office.

### Deficiency Report

Any sewer lateral that does not comply with District Standards and requires work to bring it into compliance will be given a “Deficiency Report”. This means that the sewer lateral must be replaced within the time limits specified in Section 4.

A Certificate of Compliance will be issued after a sewer lateral has been satisfactorily repaired and/or replaced. This Certificate will be valid until subsequent inspection is performed and a new Certificate issued, or ten (10) years which ever comes first.

## **Section 8 – Long Term Compliance**

It is the intent of the District that the testing, repair, and replacement of the sewer laterals are a continual and ongoing program. The District may, at any time, evaluate the level of infiltration and inflow from properties and, if it is determined that excessive infiltration and inflow exists, all sewer laterals within the property will be inspected and possibly tested.

## **Section 9 – Appeal of District Manager’s Decision**

All decisions of the District Manager can be appealed in writing to the District Board within ten (10) calendar days after written notice thereof. The appeal must be in writing and must state the basis of the appeal. The appeal will be acted upon the Board within thirty (30) days after receipt of the written appeal, except for good cause shown. No sanctions or penalties shall be imposed until after such hearing has taken place.

## **Section 10 – Failure to Comply**

### General

Should any property owner(s) fail to repair or replace their sanitary sewer lateral within the time limits set forth by Section 4, the District Manager is hereby authorized to proceed with all necessary work to bring the lateral in compliance, including but not limited to hiring of contractors, and entering upon private property.

### District Action, Notification to Property Owner

Prior to proceeding with the necessary work, the District Manager shall notify the owner of the District's intent to proceed with such work. Such notice shall be served personally on the owner or by mailing such notice to the owner addressed to the post office address last shown on the Contra Costa County secured assessment rolls, and by positing a copy of such notice on the property. Notice shall be given at least thirty (30) days prior to the commencement of the work. No further notice need be given.

## ORDINANCE NO. 1871-1005

ORDINANCE AMENDING SECTION 4.6 OF THE STEGE SANITARY DISTRICT  
ORDINANCE CODE IN ORDER TO CLARIFY THE RIGHTS AND RESPONSIBILITIES OF  
PROPERTY OWNERS WITH RESPECT TO THE TESTING, CLEANING, REPAIR,  
MAINTENANCE, RENOVATION AND TIMELY REPLACEMENT OF EXISTING  
PRIVATE SEWER LATERALS

The Board of Directors of Stege Sanitary District has determined as follows:

- A. The testing, repair, maintenance, renovation and timely replacement of private lateral sewers connected to District-owned main sewers protects the public health, safety and welfare; and
- B. Pursuant to the Stege Sanitary District Ordinance Code, the testing, repair, maintenance, renovation and timely replacement of such private lateral sewers is the responsibility if the owners of the house, building or property which such lateral sewers serve; and
- C. The District wishes to further clarify the rights and responsibilities of persons conveying and acquiring real property with respect to the testing, cleaning, repair, maintenance, renovation and timely replacement of laterals sewers within District boundaries.

IT IS ORDAINED by the Board of Directors of Stege Sanitary District as follows:

- 1. Section 4.6 of the Stege Sanitary District Ordinance Code is hereby amended as set forth below, with existing text shown in regular font, new text shown in underlined format and deleted text shown in strike through format:

**4.6.2 Conditions Requiring Cleaning and Testing.** All Laterals, including those serving residential, multiple residential and commercial properties, connected to a District Main Sewer shall be cleaned and tested, at the property owner's expense, when any of the following conditions occur or at the following times:

4.6.2.5 In a non-probate transaction, Prior to the close of escrow upon a sale or other transfer of the house, building or property ~~served~~ connected to the District's Wastewater System. A transfer of ownership between family members does not require testing, if there is no reassessment of property value by the County.

4.6.2.6 In a probate proceeding, within 180 days after the sale or conveyance of a house, building or property connected to the District's Wastewater System.

**4.6.6 Repair or Replacement of Lateral upon Sale or Transfer of Property.** The repairs or replacement of Laterals described in Section 4.6.4 that result from the testing required as a result of the sale or transfer of property in a non-probate transaction shall be completed prior to the close of escrow. For properties sold or transferred in a probate

proceeding, any repair or replacement of Laterals resulting from the required testing shall be completed within 180 days after the probate sale or transfer.

**4.6.7 Hardship Deferrals for Lateral Repair or Replacement.** In the event that the repair or replacement of a Sewer Lateral before the close of escrow in a non-probate sale, pursuant to Section 4.6.6 above, would result in undue hardship inconsistent with the purpose or intent of this chapter, a request for hardship status may be submitted to the District General Manager. The District General Manager shall make a hardship finding only if the requesting property owner presents facts that clearly demonstrate, in the District General Manager's sole determination, that the property owner's payment for and completion of a Sewer Lateral repair or replacement at the required time would result in an undue hardship. If hardship status is granted, the property owner who is selling the property (or the property owner who is purchasing the property) shall have up to 180 days after the close of escrow to repair or replace the Sewer Lateral.

4.6.7.1 For purposes of this section, undue hardship shall be defined as (1) the severe illness or incapacitation of the property owner; (2) the immediate transfer or removal of the property owner from the state, thereby making the hiring of a contractor to repair or replace the Sewer Lateral impractical or overly burdensome; or (3) any physical or financial situation that would render compliance with the time limits for the repair or replacement of Sewer Laterals extraordinarily difficult or impractical. The property owner shall bear the burden of submitting documentation and proving the existence of such a bona fide hardship to the satisfaction of the District General Manager.

4.6.7.2 Any property owner to whom a hardship finding is granted shall be given written notice of the finding. Said notice shall inform the property owner that the Sewer Lateral repair or replacement requirement is only deferred up to 180 days after the close of escrow—not waived entirely. A copy of the notice shall be sent to both the property owner who is selling the property and to the purchaser of the property.

4.6.7.3 In the event of a failure to comply with the Sewer Lateral Ordinance within the allotted time, the District may bring an enforcement action and exercise any other remedy provided by the District Ordinance Code and applicable law against the property owner and any other responsible party.

2. Except as amended hereby, all other provisions of Section 4.6 of the Stege Sanitary District Ordinance Code shall remain unchanged and continue in full force and effect.

3. If any portion of this Ordinance is for any reason held invalid by a court of competent jurisdiction, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable.

4. The Board of the Stege Sanitary District hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the

fact that any one or more sections, subdivision, paragraph, sentence, clause, or phrases are held unconstitutional, invalid or unenforceable.

5. This Ordinance is effective upon the expiration of one week from the date of publication of a summary of the Ordinance, as prescribed by California Health and Safety Code Section 6490.

\* \* \* \* \*

STATE OF CALIFORNIA)  
COUNTY OF CONTRA COSTA)

I HEREBY CERTIFY that the foregoing Ordinance was duly and regularly adopted by the Board of Directors of the Stege Sanitary District, at a regular meeting thereof, held on the 20<sup>th</sup> day of October 2005 by the following vote:

AYES:	BOARD MEMBERS:	James, Miller, O’Keefe, Merrill
NOES:	BOARD MEMBERS:	None
ABSENT:	BOARD MEMBERS:	Bruce
ABSTAIN:	BOARD MEMBERS:	None

\_\_\_\_\_  
Dwight Merrill, President  
Stege Sanitary District  
Contra Costa County, California

ATTEST:

\_\_\_\_\_  
DOUGLAS HUMPHREY, Secretary  
Stege Sanitary District

**"NOTICE OF AMENDING SECTION 4.6 OF THE STEGE SANITARY DISTRICT  
ORDINANCE CODE IN ORDER TO CLARIFY THE RIGHTS AND RESPONSIBILITIES OF  
PROPERTY OWNERS WITH RESPECT TO THE TESTING, CLEANING, REPAIR,  
MAINTENANCE, RENOVATION AND TIMELY REPLACEMENT OF EXISTING  
PRIVATE SEWER LATERALS SANITARY DISTRICT CODE OF ORDINANCES"**

Notice is hereby given that on October 20, 2005, the Board of Directors of the Stege Sanitary District voted to adopt an ordinance amending Section 4.6 of the District's Code or Ordinances in order to clarify the rights and responsibilities of property owners with respect to the resting, cleaning, repair, maintenance, renovation and timely replacement of existing private sewer laterals. The ordinance will become effective upon the expiration of one week from the date of this publication. The vote was: AYES: James, Miller, O'Keefe, Merrill; NOES: None; ABSTAIN: None.

Chapter 18.12SEWERSSections:

18.12.010	Definitions.
18.12.020	Service Charges Established.
18.12.030	Charges Collected with General Taxes.
18.12.040	Determination of Charges--Collection and Enforcement.
18.12.050	Use of Revenue.
18.12.060	Connection Permit.
18.12.070	Termination of Service.
18.12.080	Interceptors Required.
18.12.090	Use of Garbage Grinders.
18.12.100	Service Laterals. Inspection, Testing, Remedial Work.
18.12.110	Service Lateral Maintenance.
18.12.120	Installation of Sampling Manholes.
18.12.130	No Discharge Into Surface Drains.
18.12.140	Storm Water Connections Prohibited.
18.12.150	Discharge Prohibitions.
18.12.160	Damage to City Sewer System.
18.12.170	Summary Abatement of Certain Nuisances.
18.12.180	Judicial Remedies.
18.12.190	Infractions.

18.12.010 Definitions. For the purposes of this chapter, the following terms are defined as follows:

- (1) "Article 4" means the provisions of Article 4, (Sanitation and Sewerage System), of Chapter 6 of Part Two of Division 5 of the Health and Safety Code (85470 et seq.) of the State of California.
- (2) "City" means the City of Sausalito.
- (3) "City Engineer" means the Public Works Director of the City of Sausalito.
- (4) "Commercial Building" means any building, or portion thereof, designed, intended or used to accommodate a business, commercial or industrial enterprise, or a public or private school.
- (5) "Domestic Sewage" means the waterborne wastes resulting from ordinary living processes and which are of such composition as to permit satisfactory biological treatment without special pre-treatment.
- (6) "Dwelling Unit" means any building, buildings, houseboat, or any portion thereof, designed, intended, or used as a separate dwelling accommodation and having either its own kitchen or its own bathroom facilities. A building or buildings designed and intended to be used as a single family residence is one dwelling unit. Each separate room, apartment, or unit of a hotel, motel, apartment house, rooming house, duplex or boarding house having either its

- own bathroom or its own kitchen facilities is a separate dwelling unit.
- (7) "Fixture" means a unit of measure applied to various plumbing fixtures in order to determine certain fees and charges payable to the city under the provisions of this Chapter. The fixture unit equivalent of plumbing fixtures shall be as set forth in the latest edition of the Uniform Plumbing Code.
  - (8) "Interceptor" means a device constructed in the private sewer system to trap oil, grease, sand, flammable substances or any other harmful materials that may be discharged into the city sewer main.
  - (9) "Marina" means an area within the city covered by the waters of Richardson Bay which contains one or more berthing spaces for houseboats or vessels, either permanently or on a temporary basis.
  - (10) "Sanitary Sewer System" means the sanitary sewer system operated and maintained by the City of Sausalito.
  - (11) "Sewer Main" means a city owned pipeline designed and operated to accept sewage from a sewer service lateral for disposal.
  - (12) "Sewer Service Lateral" means a property owner's pipeline designed and operated to carry sewage from a building or other source to a Sewer Main, including the wye connection at the Sewer Main.
  - (13) "Sewer service charges" means fees, tolls, rates, rentals or other charges for services and facilities furnished by the city in connection with its sanitary sewage system.
  - (14) "Vessel" means any watercraft of any type or size, including, but not limited to, barges, ferryboats, tour boats, excursion boats, arks, yachts, houseboats or rafts, whether used and occupied primarily as living quarters or for transport of passengers. (Ord. 1072 §1, 1991: Ord. 874 §2, 1975: Ord. 779 §2, 1971).

18.12.020 Service Charges: Determination, Collection.  
Pursuant to the provisions of Article 4 of Chapter 6 of Part Two of Division 5 of the Health and Safety Code of the State of California (5470 et seq.), a charge is hereby imposed for all services and facilities provided by the City of Sausalito in connection with its sanitary sewer system. All such fees, charges and delinquencies shall be determined and collected in conformity with the procedures established by Article 4. (Ord. 1072 §1, 1991: Ord. 874 §1, 1975: Ord. 798 §1, 1972: Ord. 779 §1, 1971).

18.12.030 Charges Collected with General Taxes. Pursuant to the provisions of Section 5473 of Article 4, the city elects to have the charges imposed by this Chapter to be collected on the Marin County tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, its general taxes. (Ord. 1072 §1, 1991: Ord. 779 §3, 1971).

18.12.040 Determination of Charges -- (Deleted) (Ord. 1072 §1, 1991).

18.12.050 Use of Revenue. Revenues collected pursuant to this Chapter consistent with the provisions of Section 5471 of Article 4 shall be used solely for the purposes allowed by that Section. Revenues collected pursuant to this Chapter consistent with the provisions of Section 5474 of Article 4 shall be used solely for the purposes allowed by Section 5474.9 of Article 4. (Ord. 1072 §1, 1991: Ord. 779 §5, 1971).

18.12.060 Connection Permit. A permit shall be obtained from the City Engineer for the connection of any sewer service lateral to any sewer main. The fee for such permit shall be established by resolution adapted by the city council from time to time. Every premises improved with a building where persons reside, congregate or are employed, shall be connected to the sewer main by the owner of the premises. No such premises shall utilize a septic tank, cesspool or other individual sewage disposal system. The City may require such connection to be made by the property owner through the extension of a sewer main within a public utility easement or City street right-of-way to the point of the service lateral connection as determined by the City Engineer. (Ord. 1072 §1, 1991).

18.12.070 Termination of Service. When any premises become unusable or have the service lateral disconnected for any reason, the annual service charge shall, upon notice from the property owner and verification by the city Engineer be terminated. Any premises which are vacant but which continue to be usable and are connected to a sewer main with a service lateral shall continue to be subject to the applicable service charges. (Ord. 1072 §1, 1991).

18.12.080 Interceptors Required. Any business, institution or industry that may discharge oil, grease, flammable substances, sand or other materials that may be harmful to the sewage system shall have a properly functioning interceptor. Interceptors shall be designed, constructed and maintained in accordance with the provisions of the most recent editions of the Uniform Plumbing Code. Interceptors shall be maintained by the property owner. Interceptors found by the City Engineer to be inadequately maintained shall be reported to the County Health Officer for the purposes of enforcement of this regulation. The Health Officer's orders for correcting deficient or malfunctioning interceptors shall be final and there shall be no City Council appeal of such orders.

Maintenance shall include periodic removal of grease, sand or other materials. Materials removed from interceptors shall not be disposed of in the sewer system. A record of interceptor maintenance shall be kept and made available upon request of the Health Officer. The use of chemicals to dissolve coagulated materials is specifically prohibited.

All drains from work or processing areas shall be connected to the interceptor, provided, however, that toilets, urinals and wash basins shall not flow through the interceptor. (Ord. 1072 §1, 1991.)

18.12.090 Use of Garbage Grinders.

- (1) Individual Dwelling Units.  
Vegetable, fruit, animal or other solid wastes from individual dwelling units may be discharged into the sanitary sewer system if first passed through a mechanically operated grinder which does not discharge any particles greater than one-half inch in any dimension, and which is installed in compliance with the plumbing and electrical codes of the City.
- (2) Restaurants and Commercial Food Processors.  
Garbage grinders in restaurants and commercial food processing businesses shall not be connected to the sanitary sewer. Vegetable, fruit, animal or other solid waste from restaurants and commercial food processors shall not be allowed to enter the sanitary sewer (Ord. 1072 §1, 1991).

18.12.100 Service Laterals. Inspection, Testing and Remedial Work. All new residential, apartment, industrial and commercial buildings shall have installed a new sewer service lateral. A minimum four inch lateral shall serve single or duplex residential dwelling units. A minimum six inch lateral shall be installed to serve buildings with three or more residential units, and industrial and commercial buildings. Construction shall conform with City standards.

Where remodeling or sale of any building is proposed, existing sewer service laterals shall be inspected for surface water connections or inlets, and shall be either pressure tested for leakage or inspected by video camera. Service laterals found to be in a deteriorated condition shall be replaced, repaired or rehabilitated as necessary to eliminate infiltration and inflow of ground and surface waters. Service laterals shall be re-tested for leakage or re-inspected by video camera upon completion of any remedial work, and shall be approved by the City Engineer prior to transfer of title or approval of the building permit. (Ord. 1072 §1, 1991).

18.12.110 Service Lateral Maintenance. Service laterals shall be installed and maintained by the owner of the property which the lateral serves. The entire service lateral from the building connection to and including the wye connection to the sewer main shall fall within the owner's responsibility for installation and maintenance except at such times as the city may be reconstructing, repairing or rehabilitating a sewer main to which such service lateral is connected. During the time period when City reconstruction repair or rehabilitation of a sewer main is in progress, service laterals that connect to the sewer main within the limits of the project shall become the

responsibility of the City, and may be simultaneously reconstructed, repaired or rehabilitated as deemed necessary by the City Engineer. Upon completion of the city reconstruction, repair or rehabilitation project, the responsibility for maintenance of the lateral shall revert to the owner of the property which the lateral serves. (Ord. 1072 §1, 1991).

18.12.120 Installation of Sampling Manholes. When required by the City Engineer, the owner of any property served by a building sewer carrying industrial wastes shall install a sampling manhole in the building sewer service lateral to facilitate observation and sampling of wastes. The sampling manhole shall be located in the public street or easement and shall be constructed to City Standards. (Ord. 1072 §1, 1991).

18.12.130 No Discharge Into Surface Drains. It is unlawful to discharge into any natural outlet, or surface drain of any kind, any domestic or industrial wastewater, steam cleaning residual runoff, commercial wastewater, petroleum products or other waste materials unless permitted by the City Engineer as a measure necessary to accommodate an emergency condition. (Ord. 1072 §1, 1991).

18.12.140 Storm Water Connections Prohibited. No connection shall be made to any service lateral or sewer main for the purpose of conducting any storm water, surface water, or groundwater into the City sewer system, and it is unlawful to discharge into any service lateral or sewer main the water from any roof drain or yard drain. (Ord. 1072 §1, 1991).

18.12.150 Discharge Prohibitions. No person shall discharge or deposit or cause or allow to be discharged or deposited into the City Sewer System any wastewater which contains the following:

- (1) Cooking grease whether emulsified or not.
- (2) Waste automotive radiator coolant.
- (3) Explosive mixtures.
- (4) Radioactive wastes.
- (5) Solid or viscous wastes which may cause obstruction to the flow in a sewer pipeline.
- (6) Any toxic substances in excess of the United States Environmental Protection Agency standards pursuant to Section 307(a) of the Clean Water Act, or any other substances which may interfere with the biological processes of the wastewater treatment system.
- (7) Petroleum products of any kind. (Ord. 1072 §1, 1991).

18.12.160 Damage to City Sewer System. It is unlawful for any person to maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the City Sewer System. (Ord. 1072 §1, 1991).

18.12.170 Summary Abatement of Certain Nuisances. Whenever the City Engineer finds that a nuisance exists that is the result of inadequate, improper or negligent operation or maintenance of any sewer service lateral or appurtenance thereto which may endanger public health and safety, he may elect to pursue the remedies set forth in Article 2 of Chapter 6 of Part Two of Division 5 of the Health and Safety Code (5410 et seq.), and he may also abate the same forthwith. All costs associated with such abatement shall be charged to the responsible party. (Ord. 1072 §1, 1991).

18.12.180 Judicial Remedies. Any violation of the provisions of this Chapter is a public nuisance. If any person violates the provision of this Chapter or any order of the City Council pertaining to this Chapter, the City Attorney may commence an action for appropriate legal relief in any appropriate court. (Ord. 1072 §1, 1991).

18.12.190 Infractions. Any violation of the provisions of this Chapter, in addition to any other penalty established by City ordinance, may be cited and charged as an infraction. (Ord. 1072 §1, 1991.)

## **Appendix B: Example Brochures**

# WEST COUNTY WASTEWATER DISTRICT BROCHURE

## INTRODUCTION

Within the West County Wastewater District, the building sewer is defined as the portion of the sewer system, beginning at the junction with the house plumbing system, usually located two (2) feet from the foundation wall of the building, and extending to and including the connection to the public sewer main. The building sewer is the private property of the building owner who is, therefore, responsible for all costs relating to the installation, connection, maintenance, repair, reconstruction, alteration, abandonment or removal of the building sewer.

These building sewers are often a significant source of infiltration and inflow, or "I/I". The Building Sewer Replacement Grant Program is to help defray a portion of the costs when the property owner or their agent is required to replace the entire building sewer, including a backflow overflow device, and the connection to the main.

## AMOUNT OF GRANT

Amount of Grant: The maximum amount of assistance for any one building sewer replacement shall be limited to 50% of the approved cost up to a maximum reimbursement of \$2,000. Only complete replacement of the building sewer that completely eliminates infiltration and inflow is eligible for the program. The homeowner is responsible to notify their selected contractor that their **entire building sewer must pass WCWD testing requirements** in order to be eligible for reimbursement. Payment shall be made to the owner or owner's agent upon presentation of a paid receipt indicating that the contractor has been paid in full.

The total amount of funding is limited. Applications will be prioritized after they have been determined complete by WCWD.

### **IMPORTANT: Prior to commencement of construction work;**

1. Bids must be obtained from at least two (2) properly licensed contractors and submitted to the District for review and for determination of eligible costs.
2. Building sewer testing must be performed (see next column).

**If the above items are not met prior to commencement of construction work, no funds will be obligated to the property owner or designated agent.**

## BUILDING SEWER TESTING

Building sewer testing must be done prior to replacement of building sewer in order for grant funding to be considered. Inspecting and testing methods shall include the following techniques:

- Closed Circuit TV Inspection
- Air Testing

Closed circuit TV inspection may reveal the condition of the building sewer. If obvious damage or defects are noted, the air testing would not be required.

Closed circuit TV inspection shall be done either by West County Wastewater District personnel or other qualified persons and observed by WCWD personnel who shall document the inspection and testing information (if necessary) to the District.

Per request, WCWD personnel will perform closed circuit TV inspection only if the property owner or designated agent shall make access to the building sewer by an opened 4-inch diameter clean-out on the exterior of the building. Requests for WCWD closed circuit TV inspection may take a lead time in excess of 30 days. WCWD personnel will not perform air testing on the building sewer.

# West County Wastewater District Brochure

## ***What if I select the West County Wastewater District to perform Closed Circuit TV (CCTV) Inspection of my line?***

You will need to call WCWD to schedule an appointment for the work to be done. Please be advised if you elect to have WCWD perform the CCTV Inspection, lead time may take in excess of 30 days. Please note requirements listed in the application.

## ***When will testing be required?***

Air testing will be required if CCTV inspection shows the overall pipe to be in satisfactory condition. Please note WCWD does not perform testing

## ***From whom can I get price quotations?***

You can get price quotations from contractors licensed to perform underground sewer construction.

## ***How many quotes do I need to obtain?***

You need to obtain two (2) quotes; however, the District encourages you to obtain three (3) for better price comparison.

## ***Can WCWD recommend any licensed contractors?***

Legally WCWD may not recommend any contractors. However, WCWD can supply you with a list of contractors that have worked in the District.

## ***How do I know if I have qualified for the Building Sewer Replacement Grant Program (BSRGP)?***

When your application is signed as approved by WCWD stating that you have qualified and funds have been obligated for your project.

## ***Do I need any permit for this work?***

You or your contractor will need a permit from WCWD to perform this work. You or your contractor may also need an encroachment permit from Contra Costa County or your City Public Works Department if you are doing work in the public roadway.

## ***After I have received a fund obligation letter, what happens next?***

You will be able to commence work. However, prior to commencement of work, you need to make sure your contractor has been issued any necessary permits needed for the job.

## ***When do I need an inspection?***

A site inspection is required by WCWD personnel after the new sewer line has been installed, but prior to any backfilling. WCWD personnel will witness testing of the entire line from the building foundation to the connection to the main. Testing will be performed by your contractor.

## **West County Wastewater District Building Sewer Replacement Grant Program**

***Thinking about replacing  
that unreliable, leaky old  
building sewer?***

***Let WCWD help you pay for  
it!***

**West County Wastewater District's Building Sewer Replacement Grant Program (BSRGP) will cover 50% of the cost, up to a maximum of \$2,000, provided you follow the guidelines. For more information, and before you hire a contractor, look inside, or call the District at (510) 222-6700.**

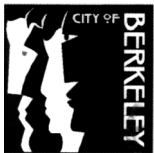
***What happens after the site inspection?***

Once inspection is complete, you need to submit your paid in full invoice to the District for the work performed. The District will then process your application for payment. Payment will be made within 4 to 6 weeks.

# ***Are you polluting the Bay by neglecting your house sewer connection?***



## ***Sewer Lateral Information***



**CITY OF BERKELEY**

**DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION**

**1947 CENTER STREET  
FIRST FLOOR  
BERKELEY, CA 94704**

**(510) 981-6400  
FAX: (510) 981-6390  
TDD: (510) 981-6903**

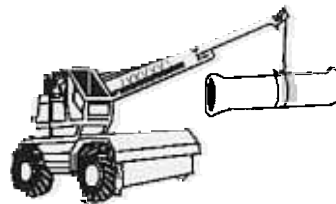
### **Q. Why is the City concerned with private sewer laterals?**

In Berkeley, most homes were built before 1950 and most have their original sewer lateral connection. These old pipes have outlived their design lifespan; they are typically made of clay with cement mortar joints. Over time, many have cracked or have separated joints, and often the pipes have shifted out of place. These defects allow tree root incursion and infestation. According to a study commissioned by the City, most of the private sewer laterals are extensively deteriorated and require replacement.

Deteriorated sewer laterals leak raw sewage into the ground creating a health hazard. Groundwater and rain seep into the sewer system overloading it and the wastewater treatment facility beyond their capacity. This results in backups and overflows and the subsequent discharge of untreated sewage into the Bay and the creeks.

Everyone in Berkeley wants a clean Bay and clean creeks.

### **The City is upgrading the Sewer Collection System.**



replace and repair the sewer mainlines and lower laterals in the sanitary sewer system.

In 1987, Berkeley initiated the annual sewer rehabilitation program to

Since then the City has:

- Replaced or rehabilitated over a third of the City's sewer mainlines; including 12 miles of new larger sewer "trunk lines" to add flow capacity to the sewer system.
- Replaced or rehabilitated over 300,000 feet (56 Miles) of lower laterals for about 9,000 properties.
- Eliminated most known overflow locations and bypass connections to the storm drain system.
- Initiated a priority program to replace sewer mainlines near open creeks.

### **In the event of a sewer backup on your property call (510) 644-6620!**



If you experience a backup, call the City's sewer maintenance at 644-6620. City crews will assess the situation and will clean and clear the City's sewer lines, or will advise you to contact a plumber if the blocked pipe is on private property.

The rehabilitation program is continuous and ongoing; sewer projects are under construction throughout the entire year.

However, to eliminate sewer overflows caused by groundwater infiltration and rainfall inflow into the sewers, property owners must do their part and rehabilitate their upper sewer laterals as well.

**Q. How do I know if my lateral needs repair or replacement?**

- Have you experienced backups?
- Do you notice sewage odor?
- Was the house built before 1950?

If you are experiencing frequent backups, or notice sewage odor, your lateral may need attention. Also, if your home was built before 1950 and the lateral has never been replaced, it is probably in poor shape. If there are trees, heavy underbrush, or shrubs nearby, root intrusion is likely to be a problem.

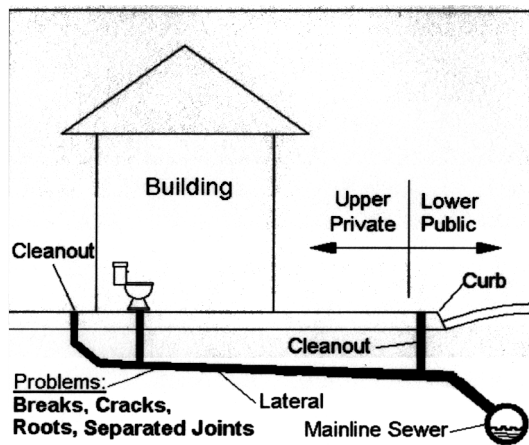
A plumber can determine the condition of your lateral and perform the necessary repair work. The best way to assess the condition of a lateral is by Closed Circuit Television Video (CCTV) examination. Many plumbers provide free estimates for CCTV service. Look for "Plumbing Contractors" in the Yellow Pages. You may also contact the State Contractors License Board at (800) 321-2752 for licensed contractors in your area.

**Q. Who is responsible for maintaining and repairing laterals?**

In Berkeley, as in most cities, the maintenance, repair and replacement of the upper lateral is the responsibility of the property owner. The City is responsible for the mainline sewer and the lower lateral.

For backline sewers, where the mainline is located in an easement behind the house, the entire lateral is the responsibility of the homeowner.

Homeowners should check their insurance and/or home warranty policies to see if they qualify for reimbursement on repairs.



Typical sewer layout with mainline sewer in the street.

(Not representative of backline sewers)

**Q. What exactly is a "Sewer Lateral?"**

The sewer lateral is the pipe that connects the house plumbing to the City's sanitary sewer main running in the street (in hilly areas, the sewer main may run in an easement behind the house, referred to as a "backline").

The sewer lateral is divided into two segments (see diagram above). An upper private segment that extends from the house plumbing to the curb line, and a lower public segment that extends from the curb line to the mainline sewer pipe in the street. (In some cases, these lines of distinction may vary due to topography, or if there are no curbs or sidewalks).

**Q. Do I need a City permit to do lateral repair work on my property?**

To perform lateral work on private property and/or in the public right-of-way you must obtain a Plumbing Permit from the Permit Service Center at (510) 981-7500.

For general information and additional copies of this brochure please contact the Engineering Division at (510) 981-6400.

**Q. What else can do to help?**



Be aware of what goes down the drain that can cause a blockage. Minimize using your kitchen garbage disposal. Place baskets/strainers in sink drains to catch all of the scraps. Place all solid waste in trashcans. Avoid pouring oils and fats down the drain. They build up in the sewers causing restrictions and overflows. Avoid flushing solids such as sanitary napkins and paper towels into toilets.

**For more information on the Sanitary Sewer Program and Services please see the Public Works WebPages at:**



[www.ci.berkeley.ca.us/PW/](http://www.ci.berkeley.ca.us/PW/)

Email: [publicworks@ci.berkeley.ca.us](mailto:publicworks@ci.berkeley.ca.us)

## **Sewer Lateral Compliance – Step by Step**

This brochure will take you through the process, step by step, for achieving compliance with the Stege Sanitary District's regulations regarding sewer laterals:

### **Step 1: Ask what needs to be done?**

Owner, trustee, realtor, or other responsible agent ("Applicant") determines whether or not a Certificate of Compliance has been issued already. If a property is being sold, the Certificate must be obtained prior to the close of escrow.

### **Step 2: Have a sewer video made.**

Applicant hires plumbing contractor to prepare a video of their lateral. Alternatively, the Applicant may elect to replace the entire line, from the building to the District's mainline, and install a cleanout by the house (if so, skip to Step 6). (In cases in which a sewer lateral is suspected to have significant sags, a video is recommended. A new trenchless installed polyethylene line will follow the sags, and this may cause problems even with a new sewer.)

### **Step 3: Submit video to District.**

Applicant submits video of lateral to District.

**Step 4: District issues Certificate of Compliance or Deficiency Report.** Staff makes a determination and issues to Applicant the Certificate of Compliance or a Deficiency Report, which specifies reasons that the sewer lateral is not in compliance. (Allow 2 days.) If a Certificate of Compliance is issued, you're done; if not, continue with Step 6.

### **Step 6: Applicant hires contractor.**

Applicant receives Deficiency Report, and hires a licensed plumbing contractor to carry out the sewer lateral repairs or replacement, as indicated in the Deficiency Report. Alternatively, Applicant may choose to carry out repairs or sewer replacement himself/herself, as long as none of the required work is in the public right-of-way.

### **Step 7: Contractor obtains Building Permit:**

Plumbing contractor (or whoever is carrying out the work) comes to the District and obtains a Sewer Permit for repair or replacement of the sewer lateral. The cost of the Sewer Permit is \$25.00. If any work will be carried out in the public right-of-way (for example, cutting through or boring underneath the sidewalk or under the street), an Encroachment Permit from the appropriate agency (El Cerrito, Richmond, or Contra Costa County) will be required. An Encroachment Permit, if required, will be an additional cost. NOTE: An Encroachment Permit for

work in the public right-of-way can only be issued to a Licensed Contractor.

### **Step 8: Repair or replace the sewer lateral:**

Contractor (or whoever is doing the work) carries out required repairs or replacement, but does not yet cover any of the work.

### **Step 9: Schedule Inspection of the repaired or replaced sewer line:**

Contractor (or Applicant) calls the District to schedule an inspection on the repaired or replaced – but still uncovered sewer lateral. Inspections require a minimum notice of 24 hours.

### **Step 10: District staff inspects the repaired or replaced sewer line:**

As scheduled, the District comes to the work site to inspect the sewer lateral. As part of this inspection, he or she will check the air or water test on the line.

### **Step 11: Cover the inspected sewer line, as necessary.**

Contractor (or whoever is doing the work) now fills in the sewer line trench with bedding and backfill material and completes any surface restoration.

### **Step 12: Schedule Final Inspection of the sewer lateral:**

As in Step 9, above, Applicant calls District to schedule a Final Inspection on the sewer.

**Step 13: District Inspector carries out**

**Final Inspection:** The District Inspector must visit the site again to check that the line has been properly covered and all surface restoration is completed. If the work passes inspection, the Inspector will sign off on the Applicant's original Sewer Permit (which must be made available to the Inspector, at the site), as well as the District's copy of the Permit.

**Step 14: District staff issues a Certificate of Compliance to the Property Owner.**

Once the District Inspector has given the sewer work Final Inspection approval, District staff issues, usually to the property owner, the Sanitary Sewer Lateral Certificate of Compliance. Although the District will keep a copy in its files, the property owner should retain this document for his or her permanent records, along with the signed Sewer Permit.

The Stege Sanitary District greatly appreciates the cooperation which property owners, contractors, and realtors have extended in helping the District to modernize its sewer system and protect the health and safety of Stege and all its residents.

## **STEGE SANITARY DISTRICT**

### **Sewer Lateral Compliance:**

A Step-by-Step Guide  
to Compliance



Stege Sanitary District  
7500 Schmidt Lane  
El Cerrito, CA 94530

PHONE: (510) 524-4668  
FAX: (510) 524-4697

## **Sewer Lateral Compliance – Questions and Answers**

This brochure is intended to answer the most common questions about the District's regulations regarding sewer laterals.

### **Q: What is a “sewer lateral?”**

A: A “sewer lateral” is that portion of the sanitary sewer line which connects a house's or business' plumbing to the District's sewer system. Typically, most, but not all, of the “sewer lateral” is on private property, while the other portion of the sewer system, the “sewer main,” is usually all in the public right-of-way.

### **Q: Why is the District concerned about the condition of the sewer lateral?**

A: Sewer laterals which are in poor condition present two problems: (1) faulty sewer lines can leak raw sewage in the ground, which may be a public health issue; (2) storm water can invade poorly sealed sewer lines and can overload the sewer system, causing sanitary sewer overflows (SSOs) and backups, and can occasionally overload the wastewater treatment facilities, resulting in the discharge of partially treated wastewater into the Bay.

### **Q: What are the problems associated with sewer laterals?**

A: Most homes in the District were built before 1950, and often have never replaced their original sewer laterals. Over time, these pipelines, generally made of clay, can crack, become disjointed, experience displacement, and/or be subjected to intrusion by roots, all of which can cause leakage and blockage. In addition, some sewer laterals lack the right kind of “cleanouts,” which provides access for clearing blockages.

### **Q: Whose responsibility is the maintenance of the sewer laterals?**

A: In the Stege Sanitary District, as in many other local jurisdictions, the maintenance of the sewer lateral, up to and including the connection to the main, is the responsibility of the private property owner. The District's responsibility is the maintenance of the sewer main.

### **Q: At what point(s) am I required to repair or replace my sewer lateral?**

A: You may voluntarily choose to repair or replace your sewer lateral at any time you feel it is necessary (for example, if you are experiencing frequent sewer backups or blockages). However, the Stege Sanitary District Ordinance Code now requires that non-compliant (i.e., those with defects) sewer laterals be

repaired or replaced when a property is sold – *before the close of escrow*.

### **Q: Do I absolutely need to have a video made of my sewer?**

A: No. The point of a sewer video is to demonstrate that the sewer lateral is in compliance, or to identify specific problems which can be repaired. However, if you elect to replace the entire sewer lateral in accordance with the District requirements, then a video will not be required.

### **Q: Where do I find a contractor to repair or replace my sewer lateral?**

A: The District has a list of plumbing contractors that are registered with the District. If you wish to check a contractor's license, you may do so with the State's Contractors License Board, using their toll free number or Web site. Most of these contractors are also able to make sewer videos.

### **Q: Why does the District require a test on the repaired or replaced sewer lateral?**

A: District staff has determined that an air or water pressure test is the best way to ensure that the line is free of leakage and has been replaced properly.

**Q: The sewer lateral on my property has been repaired or replaced and a Certificate of Compliance has been issued. How long is the Certificate good for?**

A: District staff has determined that, given the quality of modern sewer pipe technology, Certificates of Compliance will be honored for 10 years. In most cases, therefore, the owner of the property will not be required to obtain another Certificate of Compliance for 10 years, even if the property is sold, or major improvements are made to the house.

The Stege Sanitary District greatly appreciates the cooperation which property owners, contractors, and realtors have extended in helping the District to modernize its sewer system and protect the health and safety of Stege and all its residents.

## **STEGE SANITARY DISTRICT**

### **Sewer Lateral Compliance:**

Questions and Answers  
for Property Owners,  
Contractors, and Realtors



Stege Sanitary District  
7500 Schmidt Lane  
El Cerrito, CA 94530

PHONE: (510) 524-4668  
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