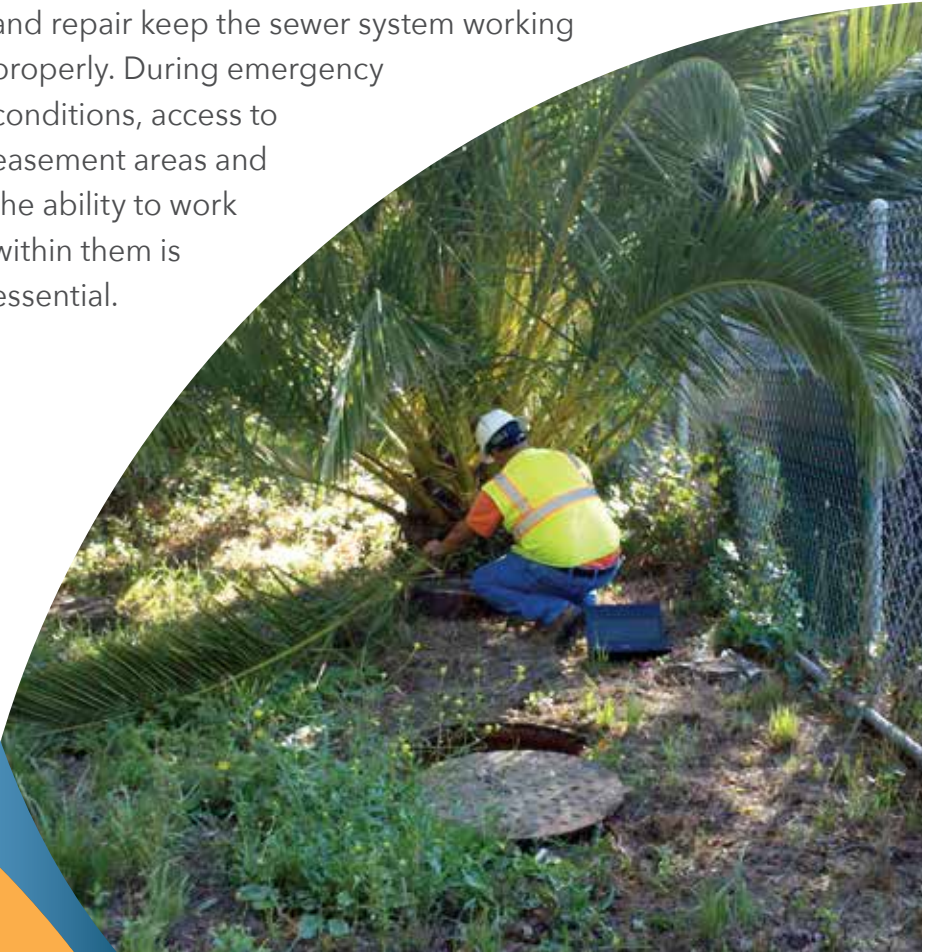




Easements

WHAT DO YOU NEED TO KNOW about easement access rights, responsibilities and financial impacts?

To better serve our customers, Ross Valley Sanitary District (RVSD) occasionally needs to access public utility easements on private property. Routine maintenance and repair keep the sewer system working properly. During emergency conditions, access to easement areas and the ability to work within them is essential.



ABOUT EASEMENTS

WHAT IS AN EASEMENT?

An easement is a defined area of private property that is legally designated for specific use, access and travel through by an entity other than the property owner. Different types of easements include the right-of-way, sewer (utilized by RVSD) and easements for public utilities such as drinking water, electricity and gas service.

Easements provide RVSD the legal right of use and access to any of its facilities, equipment or assets that are located on private property in order to maintain the region's interconnected sewer system. This legal right of access applies whether or not the easement is officially recorded. Some easements are explicitly recorded as encumbrances on private property. Others may be prescriptive or implied due to their existence and use over decades, as well as RVSD's statutory authority to access and maintain its facilities.

WHY DOES RVSD NEED EASEMENT ACCESS?

A functioning sewage collection system is complex. Sewage must be collected from every business and dwelling and routed many miles to the Central Marin Sanitation Agency Treatment Plant through our 200-mile system of sewer collection pipelines and 19 pump stations.

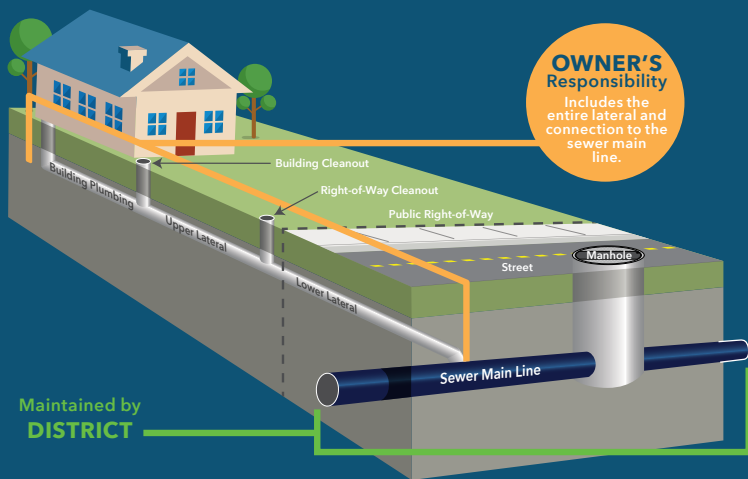
Sewer pipelines are located in many places. In some areas, entire neighborhoods were designed so that sewer systems were placed in backyards rather than in the street. Fortunately, most new systems are no longer designed that way.

Still, it is necessary for RVSD to access private property to get to sewer pipelines that may be located in a front, back or side yard. The ability to service and maintain RVSD's equipment and piping ensures that the sewer system functions properly for you and the larger community.

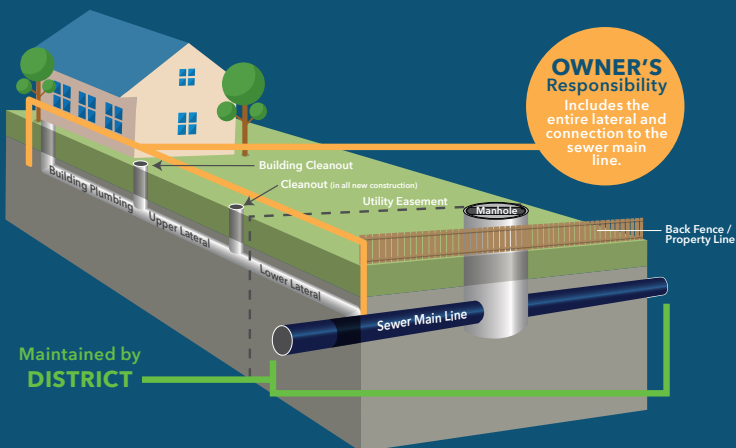




Typical **FRONT YARD** Sewer Configuration



Typical **BACKYARD** Sewer Configuration



ABOUT EASEMENTS

THINGS TO KNOW ABOUT EASEMENTS

Any use of an easement by a property owner/occupant:

- Cannot limit the ability of RVSD to access and utilize the easement for its intended purpose
- Must adequately allow, without interference, the construction, operation, maintenance, re-construction, inspection or repair of RVSD facilities
- Must allow for a minimum clearance of 36 inches in width, 6 feet and 8 inches in height, and a turning radius of 80 inches

RVSD AUTHORITY TO ACCESS

RVSD's authority to access private property easements as a public utility is provided by:

- **Sanitary District Act of 1923**
(Health and Safety Code Section 6523.2)
- **Sanitary Code**
- **RVSD's Private Sewer Lateral Ordinance, Section 8**
- **Legal documents** such as recorded easements, maps or property deeds designating specific easements

CUSTOMER PLEDGE: ACCESS PROCEDURES

RVSD is committed to customer service and we understand that providing access to an easement on your property can be inconvenient at times. Whenever possible, RVSD seeks to provide prior notification to our customers before gaining access to an easement on private property. Generally, these procedures apply when access is not readily attained, such as may occur with back and side yard easements. RVSD has specific procedures in place for gaining easement access in such situations that are described further in this brochure. These procedures ensure that RVSD will make reasonable attempts to cooperatively gain access to easements by following either non-emergency or emergency access procedures as dictated by the particular circumstances and nature of work required.

However, please know that RVSD has the legal right to access easements for its work. If that access is impeded, RVSD will contact local law enforcement or other jurisdictional agencies, as necessary, to assist in gaining easement access. It is also important to know that failure to provide access can result in financial liability.

EASEMENT ACCESS



FINANCIAL IMPACT TO OWNER MAY APPLY

When a customer is unresponsive to our attempts to gain access, refuses to grant access, or delays RVSD's ability to access or work within an easement, the property owner/occupant may be held fully financially responsible for:

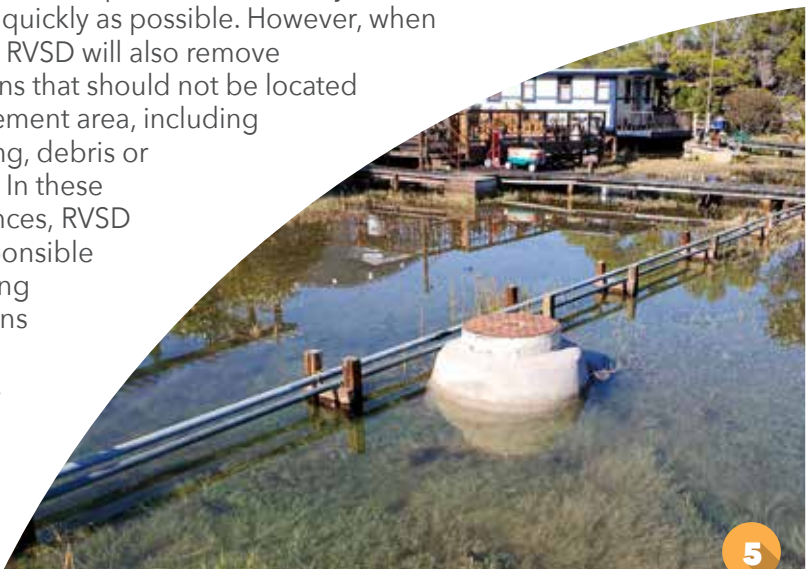
- Damage from sewage backups or overflows at all affected properties
- All associated costs incurred by RVSD

LEAST DISRUPTIVE ACCESS

When conditions and our access procedures warrant, RVSD may need to obtain access without property owner/occupant assistance. When this happens, RVSD will attempt to use the least disruptive means to obtain access. Least disruptive access includes our ability to readily disassemble gates or latches, cut locks or remove fence boards to gain access.

When conditions make it necessary for us to take these actions to gain access, RVSD will replace locks, fence boards and/or re-assemble gates.

Our goal is to complete the necessary work and restore the site as quickly as possible. However, when necessary, RVSD will also remove obstructions that should not be located in the easement area, including landscaping, debris or structures. In these circumstances, RVSD is not responsible for returning obstructions to the easement.



EMERGENCY ACCESS

EMERGENCY ACCESS SUMMARY

An emergency is defined as a situation where a RVSD facility or asset causes or has the immediate potential to cause any of the following:

- Sanitary sewer overflow
- Sewage backup into a structure
- Public health/safety problem
- Damage to public or private property
- Negative environmental impact

Emergency Access Procedure Overview	
If . . .	Then, maintenance personnel will . . .
Owner approves access	Cooperate with owner as much as possible, but will obtain the necessary easement access to the work area at his/her discretion
Owner denies access	<ol style="list-style-type: none">1. Record the time of denied access2. Present this easement access brochure emphasizing Financial Impact language3. Notify RVSD Supervisor4. Contact local law enforcement to assist in gaining access
Owner is not home	Obtain access using the least destructive means, at his/her discretion, by: <ul style="list-style-type: none">• Disassembling gate hinges• Disassembling gate lock catch• Cutting the lock• Removing a portion of fence• Utilizing an animal control agency as necessary if a dog or animal is present
There are other problems (such as inadequate easement clearance)	Obtain the necessary access corridor to work areas at his/her discretion <ul style="list-style-type: none">• This can include moving any obstructions from the easement area that prevent necessary access, including moving landscaping and debris and disassembling structures that should not be located within the easement

NON-EMERGENCY ACCESS SUMMARY

A non-emergency is defined as a situation where an RVSD facility or asset has the future potential to cause any of the following:

- Sanitary sewer overflow
- Sewage backup into a structure
- Public health/safety problem
- Damage to public or private property
- Negative environmental impact

NON-EMERGENCY ACCESS



NON-Emergency Access Procedure Overview

If ...	Then, maintenance personnel will ...
Owner approves access	Cooperate with owner as much as possible, but will obtain the necessary easement access to the work area at his/her discretion
Owner denies access	<ol style="list-style-type: none"> 1. Record the time of denied access 2. Present this easement access brochure emphasizing financial impact language 3. Notify RVSD Supervisor 4. Supervisor will then determine the potential for a public health/safety problem, damage to public or private property or a negative environmental impact in the near future <ul style="list-style-type: none"> • If such conditions are present, after seven business days have past, Supervisor will provide notification to the owner of the intent to declare a work emergency and RVSD will proceed accordingly to gain access
Owner is not home	<ol style="list-style-type: none"> 1. Check to see if access can be gained, and if so, leave RVSD's "Notice of Sewer Work Performed" door hanger 2. When access cannot be readily gained: <ul style="list-style-type: none"> • Over seven business days, make two attempts to gain easement access with assistance from the property owner/customer, leaving RVSD's "Notice of Need to Access Private Property for Sewer Work" door hanger with contact instructions and details • After seven business days have passed, gain access using the least destructive means, at his/her discretion, by: <ul style="list-style-type: none"> – Disassembling gate hinges – Disassembling gate lock catch – Cutting the lock – Removing a portion of fence – Utilizing an animal control agency as necessary if a dog or animal is present
There are other problems (such as inadequate easement clearance)	<p>Obtain the necessary access corridor to work areas at his/her discretion, whenever possible</p> <ul style="list-style-type: none"> • This can include moving any obstructions from the easement area that prevent necessary access, including moving landscaping and debris and disassembling structures that should not be located within the easement

MORE INFORMATION



WHO DO I CONTACT FOR MORE INFORMATION ABOUT RVSD EASEMENTS?

Visit our [Easements web page](#) or contact us at **415-259-2949**.

SEWER PROBLEMS?

Call the District First: 415-259-2949

Our emergency crews are available 365 days per year, 24 hours per day, seven days per week. Visit us at www.RVSD.org for more information.

MORE INFORMATION

Visit: www.RVSD.org/289/Sewer-Utility-Easements

Email: Info@rvsd.org

Call RVSD at 415-259-2949

Our office staff are available Monday - Friday from 7:30 a.m. to 4 p.m.
Our emergency crews are available 365 days per year, 24 hours per day, seven days per week.

