

# Private Sewer Laterals

Wednesday, May 24, 2023

Placerville Town Hall – 549 Main Street

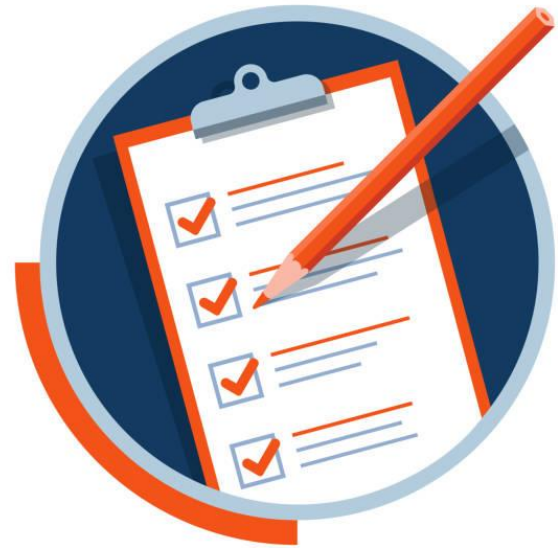
# Introductions

- Pierre Rivas, Development Services Director
- Greg Horsfall, Building Official



# Agenda

- Background
- Definitions
- Importance of Sewer Maintenance
- Private Sewer Lateral Ordinance
- Private Sewer Maintenance Agreement
- Frequently Asked Questions
- Open Forum
- Contact Information



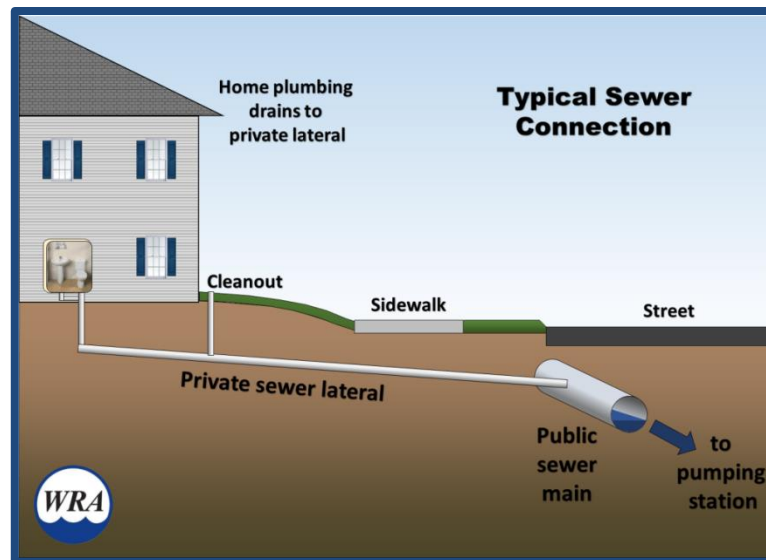
# Background

- The City's first sewer collection systems were constructed in the late 1920s and early 1930s.
- During that time period, Orangeburg pipe (primarily manufactured in Orangeburg, New York) was commonly used which is constructed of wood mulch and pitch.
- In the 1970s, Orangeburg pipe was replaced with PVC pipe and other materials.



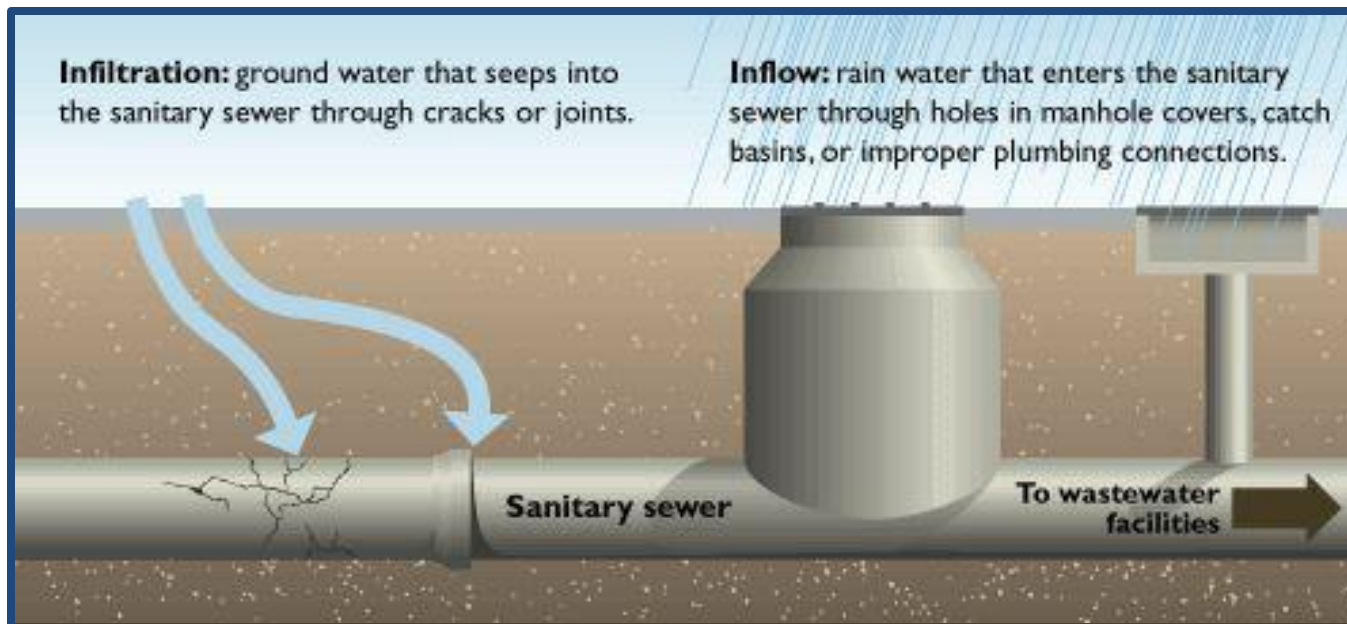
# Background

- Many of the City's collection system components also include privately owned sewer services, laterals and shared common private lateral systems, serving multiple buildings and/or properties.
- These private sewer systems ultimately connect to the publically owned City Sanitary Sewer System.



# Background

- In 1998, the City performed a sewer smoke test on the public and private sewer systems and determined that most of the inflow and infiltration (I&I) originated from failing private sewer laterals and private sewer systems.



# Definitions

- **California Plumbing Code:** The most recent addition of the California Plumbing Code, published by the California Building Standards Commission.
- **Certification of Lateral Compliance (COLC):** The certification issued by Development Services certifying that a private sewer lateral (PSL) complies with the standards set forth in the Plumbing Code.
- **Main or Sewer Main:** Any public sewer pipe within a public or private street or right-of-way receiving or intended to receive the discharges of one or more private sewer laterals (PSLs).

# Definitions

- **Plumbing Fixtures:** Includes sinks, baths, showers, toilets, dishwashers, and washing machines.
- **Private Sewer Lateral (PSL):** A pipe or pipes that carry wastewater and liquid waste from the structure(s) privately served that connects to the public sewer main.
- **Common Private Sewer Lateral:** Connects more than one home or business to the public sewer main and may span across multiple parcels.

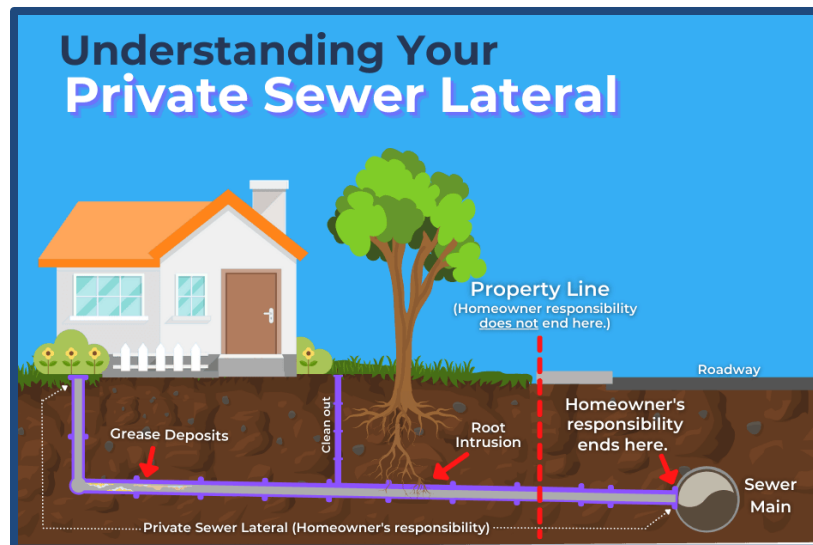


# Definitions

- **Private Sewer Maintenance Agreement (PSMA):** The recorded maintenance agreement required by the California Plumbing Code. This agreement is recorded in the office of the County Recorder, as part of the conditions of ownership.
- **Sanitary Sewer Overflow (SSO):** A condition whereby untreated sewage is discharged into the environment prior to reaching sewage treatment facilities.

# Importance of Maintenance

- Proper maintenance of Private Sewer Laterals are necessary to:
  - ✓ Eliminate or minimize sewage overflows and spills
  - ✓ Mitigate surface water pollution
  - ✓ Protect fish and wildlife habitat
  - ✓ Protect the public health and safety



# Ordinance

## Summary

- The **goal** is to protect the health and safety of the public, keep our city clean, and maintain the City's overall sewer system by regulating Private Sewer Laterals to:
  - Reduce or eliminate the discharge of sewage into the environment.
  - Reduce or eliminate sources of inflow and infiltration (I&I) into the City's sewer system.
- Our **objective** is to proactively address the damaged and failing private sewer systems for:
  - All Private and Common Private Sewer Laterals and
  - To ensure that all property owners served by a common lateral are equally responsible for the maintenance and/or replacement costs.

# Ordinance

## Purpose

- This Ordinance is focused on:
  - Providing a greater level of **protection** to the City's sewer system, the environment, and public health and safety.
  - Taking a proactive approach with specified triggers to initiate the **testing and inspection** of the private systems and determine integrity.
  - Establishing regulations and enforcement for the inspection, testing, repair, replacement, and **ongoing maintenance** of PSLs, resulting in the issuance of a Certification of Lateral Compliance (COLC).

# Ordinance

## Applicability & Responsibility

- This Ordinance ***applies to all private sewer laterals*** that connect to the City's municipal sewer collection system.
- The property owner is ***responsible*** for all maintenance and repairs of their private sewer lateral.
- Property owners are ***collectively responsible*** (share the cost) for all maintenance and repairs served by a common private sewer lateral.
- Property owners must report to the City of any wastewater that is released from a PSL to the surface resulting in a SSO or spill ***within 24 hours***.

# Ordinance

## Plumbing Requirements

- All Private Sewer Laterals (PSL) must meet the following standards and requirements of the California Plumbing Code, which include:
  - The PSL shall be kept free of roots, grease deposits, and other solids which may impede or obstruct the flow.
  - All joints shall be tight and all pipes shall be sound and free from structural defects, cracks, breaks, openings, etc.
  - The grade shall be uniform without sags or offsets.
  - The PSL shall have an exterior private two-way cleanout; with all cleanouts securely capped at all times.
  - The PSL shall be equipped with an approved backflow device.

# Ordinance

## COLC Requirements

- All Property Owners must obtain a Certification of Lateral Compliance (COLC):
  - Before completing a title transfer, unless a COLC is already in place or the property owner(s) were granted an extension
  - One or more structures are subdivided
  - Addition of two or more plumbing fixtures
  - Remodel where the cost is equal to or exceeds 25% of the market value of the structure
  - Repair or replacement of Private Sewer or PSL
  - Where the PSL was installed more than 10 years ago
  - Following an SSO spill or complaint of spill or back up

# Ordinance

## Repair or Replace PSLs

- Contractors must meet all state and local licensing requirements prior to performing any work on private sewer laterals or private sewer systems.
- In the instance where encroachment in the public right-of-way is needed for the repair, an ***encroachment permit*** must first be obtained from the City Engineer.



# Ordinance

## Right of Entry

- The ***City may enter***, inspect, collect water/wastewater samples, and test any buildings, structures, or premises to secure compliance or prevent a violation.
- The City will ***provide at least 10 business days' notice*** to the property owner of the intent to enter, unless there is an emergency threatening the public health, safety or welfare.
- The City may request that a property owner ***provide all written record*** of PSL inspection, maintenance, repair and replacement at the time of inspection or within 10 or more business days after receipt of the request.

# Ordinance

## Enforcement

- Violations of this Ordinance include *failure to*:
  - Obtain a COLC when one is required
  - Comply with the Building Official's requirements for Repair, Replacement and Verification Inspection
  - Perform work without appropriate licensing
  - Perform work without first obtaining a building permit
  - Obtain a City encroachment permit, if the work is to be performed within the City right-of-way

# Private Sewer Maintenance Agreement

- A Private Sewer Maintenance Agreement (PSMA) is *recommended* when a common private sewer lateral exists on two or more adjoining lots.
- All property owners utilizing a common private sewer lateral are encouraged to:
  - Execute a PSMA and collectively repair or replace the Private Sewer Lateral or
  - Make a direct connection to the public sewer system per the California Plumbing Code.
- Each property owner is jointly responsible for maintenance, repair, and/or replacement of the common private sewer lateral.

# Frequently Asked Questions

- **Who does the Ordinance apply to?**
  - The Ordinance applies to all private sewer laterals (PSL) that connect to the City's public sewer collection system.
- **What does the Ordinance require?**
  - The Ordinance requires a Certification of Lateral Compliance (COLC) which initiates any repairs or replacements necessary to bring a PSL into compliance with the California Plumbing Code.
- **What are the triggers?**
  - Triggers include: title transfer, one or more structures subdivided, addition of two or more plumbing fixtures, repair/replacement of PSL, following a Sanitary Sewer Overflow (SSO) spill or complaint of sewer spill or back up.

# Frequently Asked Questions

- **Will any remodeling trigger meeting the new requirements?**
  - Yes, when the remodeling includes two or more new plumbing fixtures (toilet, sink, tub, etc.), or if the remodel work is equal to or exceeds 25% of market value of the structure.
- **Does this Ordinance affect all structures residential, commercial, public or private, HOA's, etc.?**
  - Yes, the Ordinance affects all structures connecting to the City's public sewer collection system.

# Frequently Asked Questions

- **Will this prohibit the sale of my home/building without these upgrades installed?**
  - Yes, you cannot complete a title transfer until upgrades are made, if determined to be required.
  - A Certificate of Lateral Compliance (COLC) is required on all PSLs.
  - A time extension may be granted where the work has begun and may not be completed prior to close of escrow.
- **Is a pipe inspection and permit required before you can sell your home?**
  - Yes, close of escrow requires obtaining a COLC if the lateral is 10 years old or unless an extension has been granted.

# Frequently Asked Questions

- **Will I need to pay for sewer line replacement from my structure to the City's main line (usually located in the street)?**
  - Yes, this is the “privately” owned sewer lateral and it is not the responsibility of the City to replace it.
- **Can I do the work or will I need to pay for a specialist to perform all work?**
  - The property owner can install his or her own private sewer service and/or lateral.
  - However, only a licensed plumbing contractor (C-36) can connect the private sewer lateral to the City's public sewer main and perform work within the City's right-of-way.

# Frequently Asked Questions

- **Will this Ordinance mean that virtually every road and/or sidewalk will have to be trenched open, and that private property owners are responsible for its eternal maintenance?**
  - Yes, the property owner is responsible for the maintenance of any sidewalk fronting their property regardless of any trenching work.
  - Once the work in the roadway is complete and a final inspection has been performed to the satisfaction of the City, the property owner is no longer required to maintain the pavement in the roadway.
- **Does this mean that I will be financially responsible in perpetuity if the road patch subsides?**
  - No, once the work is complete and a final inspection is approved, the property owner is no longer required to maintain the pavement in the roadway.



# Frequently Asked Questions

- **Will the City be able to enter your premise without notification?**
  - Per the Ordinance, the City is required to provide at least 10 business day notice prior to entry.
  - The City may enter at any time if there is a suspected SSO in the interest of public health and safety.
  - City may also enter private property per City Code Section 1-4A-15 to enforce any code violation.

# Frequently Asked Questions

- **Is an encroachment permit required when doing any work on City property, i.e. roads?**
  - Yes, an encroachment permit is always required when doing work within the public right-of-way.
- **With the City passing a half cent sales tax to pay for infrastructure and raising water and sewer rates, why is the City not paying for these improvements?**
  - The money from Measures H and L are for making improvements to the public sewer system and cannot be spent on privately owned sewer systems.
  - The water and sewer rates pay for the operation of the public water and sewer systems and cannot be spent on privately owned connections.

# Frequently Asked Questions

- **Is it anticipated that the likelihood of these costs to meet these rules would range from thousands to tens of thousands of dollars, for every single structure in the City with a sewer connection?**
  - The cost will vary based on the work being performed, i.e. upgrade, repair, or replacement of the private sewer systems.
- **Since requirements increase every time the CA Plumbing Code is updated (every 3 years), what does that mean for these requirements?**
  - All improvements to a private sewer system require a plumbing permit, with the minimum requirements of the California Plumbing Code in affect at the time of the repair.

# Frequently Asked Questions

- **Does this mean that all maintenance is on the property owner, recommending backflow cleaning every 6 or 12 months, etc.?**
  - All maintenance of a private sewer system is already the responsibility of the owner(s).
  - The Ordinance does not specify backflow cleaning intervals.

# Frequently Asked Questions

- **Is it required to report all spills on your property to the City within 24 hours?**
  - Yes, reporting of any sewer spill(s) is already a State requirement.
- **How is this process exempt under CEQA?**
  - This Ordinance is exempt from CEQA per Section 15308 of the State CEQA Guidelines, which exempts actions by regulatory agencies for protection of the environment.
  - This Ordinance will improve maintenance, restoration, enhancement of private laterals, services, and sewer systems to reduce unauthorized spills and release of untreated sewage into the environment.

# Frequently Asked Questions

- **Can I file an appeal or request a waiver from these requirements?**
  - The enforcement, levy of fines and penalties, and the right to contest and have a appeal hearing is contained in Title 1, Chapter 4, 4A, 4B of the City Code.
- **Will a violation of any of this Ordinance result in a lien filed against the property for a Notice of Non-Compliance?**
  - A lien may be recorded against the property in cases where the City has incurred expenses and the property owner fails to repay the City.

# Open Forum

- Public Comment?
- Questions?



# Contact Information

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