

Title 14 Water and Sewers

Chapter 14.01 Sewers

Article XIII. Private Sewer Laterals

Section

13.10 Purpose

- A) The purpose and intent of this chapter to establish regulations for the maintenance repair, and replacement of private sewer laterals within the city.
- B) It is the further purpose and intent of this chapter to increase public awareness of private sewer systems and the impact of sewer spills on public health and the environment, to prevent blockages of the sewer system and accidental discharge of wastewater into the storm drain system to provide for the maximum beneficial use of the city's sewer system, to ensure the regulations are equitably implemented throughout the city, and to protect public health, safety and the environment.

13.20 Definition

- A) For the purposes of this chapter, the following terms are defined. To the extent not inconsistent with the provisions of this chapter, terms defined in the plumbing code shall apply.
 - a. "Authorized inspector" means an inspector so designated by the director.
 - b. "Building code" means the most recent edition of the California Building Code as adopted (with or without amendments) by the city.
 - c. "Common interest developments" means a development characterized by individual ownership of houses, housing units or parcel coupled with the shared ownership or right to use common areas and/or facilities such as private sewer laterals.
 - d. "Correction grace period" means a period of one hundred and eighty days from the date of issuance of notice of participation by the City of a private sewer lateral issue.
 - e. "Corrective measures" means appropriate actions taken by a property owner to maintain a fully functional sewer lateral. Corrective measures may include, but are not limited to, video inspection, a program of scheduled cleaning, repair or replacement of a private lateral. Any repairs or line replacement must be made in accordance with Title 14 of this code and the plumbing code.
 - f. "Director" means the City Engineer/ Public Works Director, Community Development Director, or other official as designated by the City Manager.
 - g. "Failure to act" means a situation in which a private property owner has been notified by the city or has knowledge that the property's sewer lateral may not be fully functional and has failed to make an objective good faith effort to

properly maintain a fully functional private sewer lateral servicing the owner's property, and a sanitary sewer overflow has occurred.

- h. "Fully functional private sewer lateral" means a private sewer lateral that is structurally sound, free of impediments, is maintained in a safe and sanitary condition, does not cause an obstruction within the public sewer and does not constitute a public nuisance.
- i. "Multi-unit complexes" means a development consisting of a building or buildings or portion thereof designed or used exclusively for multiple family residential occupancy, including but not limited to apartments, apartment houses, duplexes, and all other multiplexes.
- j. "Notice of participation" means written notification from the city advising a property owner of corrective measures that may be taken by the property owner to ensure the private sewer lateral is fully functional.
- k. "Plumbing code" means the most recent edition of the California Plumbing Code as adopted (with or without amendments) by the city.
- l. "Private property building remodels" means all construction projects including additions, alterations or repairs that require a building permit, and that either:
 - i. Involve a bathroom, kitchen, or laundry facility; or
 - ii. Constitute evaluation of forty percent or greater. For purposes of this subdivision, "valuation" means the estimated cost to replace a building and structure in-kind, based on the current replacement costs as established in the city's resolution for computation of building permit fees adopted pursuant to Title XX of this code.
- m. "Private Lateral Sewer Discharge (PLSD)" means a sewage discharges that are caused by blockages or other problems within a privately owned lateral.
- n. "Private sewer lateral" means that portion of a private property's building sewer as defined by the plumbing code, and is further defined as the piping of a drainage system that extends from the end of the building drain to the public sewer which includes the connection to the public sewer.
- o. "Public sewer" includes systems used in the collection and conveyances of wastewater to a treatment plant that is controlled by the city.
- p. "Qualified plumber" means a company or plumber with a valid and appropriate licensure, as required by the state, to provide private sewer lateral services, including video inspection, cleaning, maintenance, repair, and connection to the public sewer.

13.30 Regulations

These rules shall apply to every private sewer lateral in the city that connects to a public sewer.

A) Property Owner Responsibility

- a. Every property owner whose property is serviced by a private sewer lateral shall be responsible for all preventative and corrective maintenance activities for the

private sewer lateral including the connection to the public sewer, which may include but is not limited to periodic video inspection, cleaning, repair or replacement of the line and connection joint.

- b. A property owner shall complete necessary corrective measures within the correction grace period to ensure that the private sewer lateral is fully functional.
- c. The director shall have the authority to, in his or her sole and absolute discretion, extend the correction grace period if a property owner makes a request for an extension of time and presents good cause for the request.

B) Standard of Maintenance

- a. The director shall be authorized to, in his or her sole and absolute discretion, require additional information from a property owner and to inspect corrections or repairs to assure that such work has been performed in accordance with all applicable rules and codes. If the director determines that a correction or repair is inadequate, then the city shall notify the property owner and the property owner shall be responsible for completing the necessary further corrections or repairs. The city shall provide notice to the property owner upon the city's acceptance of the corrections or repairs.

C) Notice and Required Corrections

- a. Where inspection and/or investigation reveals that a property's private sewer lateral may not be functional, the city shall provide the property owner with a written notice of participation describing the city's private sewer lateral program and advising the property owner of the corrective measures that should be taken.
- b. The property owner may contact a qualified plumber to have the private sewer lateral video inspected and cleaned.
- c. If the video inspection demonstrates that the private sewer lateral is functional and that cleaning, repair or replacement is not necessary, then no corrective measures shall be required.
- d. If the video inspection demonstrates that the private sewer lateral is not functional, then the property owner is responsible to take the corrective measures within the correction grace period to make the line fully functional.

D) Private Property Building Remodels

- a. In addition to the conditions required for Property Owners, all private property building remodels, as defined in Section 14.01.13.20 (l) of this chapter, shall be required to have the lateral video inspected by a qualified plumber.

E) Common Interest Developments

- a. In addition to the conditions required for Property Owners, all common interest developments, as defined in Section 14.01.13.20 (c) of this chapter, **must video inspect the commonly owned private sewer lateral system to and including the point of connection to the city's main line every five years to ensure the system is fully functional.**

13.40 Administration

- A) Repair and Replacement
 - a. Every property owner is required within the correction grace period to make the private sewer lateral serving the property fully functional as described in this code.
 - b. Repair and replacement of a private sewer lateral requires a city building permit on private property and an encroachment permit for all work within the right-of-way which includes the connection to the public sewer. **Prior to issuance of a permit by the city to complete corrective measures, the property owner shall submit a plot plan indicating the location of the private sewer lateral line and the proposed corrective measures.** A final inspection of the work by the city's authorized inspector is required as part of the city permitting process.
 - c. Spot Repairs. If only a portion of the private sewer lateral is defective, the owner may elect to perform a spot repair. Upon completion of the repair, the private lateral shall be tested and must pass the requirement of the plumbing code and city standards.
 - d. New and Replaced Lines. All new or replaced private sewer laterals shall be approved, designed and constructed in accordance with **Title 14 of this code and the plumbing code.**
 - e. All new and replaced private sewer laterals and pipe joint connections shall be constructed using materials approved by the director that are designed to prevent root intrusion for the life of the product.
 - f. **All new or replaced sewer laterals shall include a cleanout located at or near the property line. The cleanout shall be designed and constructed in accordance with Title 14 of this code and the plumbing code.**
 - g. Upon completion of the line replacement, the private sewer lateral shall be tested and must pass the requirements of the plumbing code and city standards.
 - h. **All landscape improvements related to the repair, replacement, or new installation of a private sewer lateral project shall be designed and constructed in accordance with Section 13.05 of this code.**
 - i. When the necessary corrective measures have been completed within the correction grace period, the property owner may provide the city with documentation of the corrective measures taken.

13.50 Enforcement

- A) A public nuisance in accordance with Section 9.01.020 (H 15), (I 13), or (I 16) of this code shall be deemed to exist upon a failure to act as defined in Section 14.01.13.20 (g) of this chapter.
- B) In the event of a sewer overflow from a private property, the property owners and tenants shall immediately suspend all wastewater discharges per Section 14.01.860.
- C) The city shall investigate all sewer overflows from private property to determine whether a failure to act has occurred.

- D) The City Manager, or his or her designee, shall determine whether or not a failure to act has occurred and what enforcement action, if any, may be appropriate.
- E) A failure to act or a violation of the provisions of this chapter by a private property owner may result in one or more of the following enforcement actions:
 - a. In the event of a user's failure to immediately comply voluntarily with the suspension of discharge order during a private lateral sewer discharge, the Director may take such steps as deemed necessary, including immediate severance of the water connection to prevent or minimize the danger to the public health and safety.
 - b. A first offense warning may be issued with a specific period for correction as detailed in Section **9.01.613 or 14.01.800**;
 - c. An administrative citation may be issued for violations in the amounts and manner set forth in Section 9.01.62 and may include any expenses and administrative costs incurred by the City, County or any related agency incurred subsequent to the initial inspection and identification of the nuisance.
 - d. The City Council may impose a fine of up to ten dollars per gallon of spilled sewerage and up to ten thousand dollars per day for a closure of public property as a result of a spill from private property as set forth in Section **14.01.850**.
 - e. A misdemeanor complaint may be filed in accordance with Chapter 14.01.92.