

**COUNCIL POLICY
CITY OF CHULA VISTA**

SUBJECT: Sewer - Maintenance

**POLICY
NUMBER**

**EFFECTIVE
DATE**

PAGE

570-01

1 of 4

ADOPTED BY: Resolution No. 4377

DATED: 4/18/1967

AMENDED BY: Resolution No. 9556 (4/10/1979); Minute Action (02/21/1984); Resolution No. 2014-xxxxx (x/2014)

BACKGROUND

City established a Sewer Lateral Policy (“Policy”) in April of 1979, which has been amended by various minute actions and resolutions. The Policy established that maintenance of sewer laterals is the responsibility of the owner of the property that the Sewer Lateral serves. The maintenance of public sewer mains and appurtenances, such as manholes, however, remains the sole responsibility of the City. Recent review of the Policy identified certain terms included in the Policy that needed clarification. It is the intent of this revised policy to clarify the terms and reinforce the intent of the existing Policy.

PURPOSE

To establish a policy related to the maintenance of sewer laterals.

DEFINITIONS (see exhibit “A”)

- 1) “*Sewer Lateral*” means: a four-inch, six-inch or eight-inch diameter, privately maintained sewer constructed from its Connection Point with a Public Sewer across public property to the boundary of such public property so as to provide sewer service to building(s) or structure(s) situated upon an individual parcel of record” (MC 13.04.010 T)
- 2) “*Connection with the Building*” means: a four-inch, six-inch or eight-inch diameter sewer constructed from the boundary of public property, easement or right of way to the point where said sewer enters the building it serves.
- 3) “*Connection Point with a Public Sewer*” means: that portion of the sewer lateral that extends one foot from the outside of the Public Sewer.
- 4) “*Public Sewer*” means: sewer owned and operated by the city which is a tributary to treatment or reclamation facilities operated or utilized by the City” (MC 13.04.010 P)
- 5) “*Property Line Cleanout*” means: privately maintained cleanout located on private property adjacent to (normally within 2-3 feet of) a property line that serves as maintenance access to the Sewer Lateral.
- 6) “*Maintenance*” means: the cleaning, servicing, repairing and/or replacing sewer-related facilities.
- 7) “*Street Tree*” means: tree, bush or any type of plant that is located within the public right of

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way, belonging to and being maintained by the City.

POLICY

The following sewer lateral maintenance policy is hereby adopted by the City Council.

1. Maintenance of the Sewer Lateral from the Connection with a Public Sewer to the point where said Sewer Lateral enters the building it serves and beyond shall be the responsibility of the property owner and performed at the property owner's sole expense.
2. If a stoppage occurs, the property owner, at the property owner's sole cost, but subject to reimbursement in accordance with this policy, shall be responsible for determining the location and cause of said stoppage.
3. The location of the stoppage shall be determined by a licensed plumber using Closed Circuit Televising (CCTV).
4. If stoppage is determined to be in the Public Sewer, in the Connection Point with a Public Sewer or caused by a Street Tree, property owner shall notify the City within 48 hours from the time the location of the stoppage is identified.
5. The property owner shall have the burden of proving that a stoppage is caused by a Street Tree through the following methods: a) Excavation of the root from its origin to the point of intrusion in the lateral or b) Written confirmation from a certified arborist based on analysis of a root sample has been extracted. If a stoppage is determined to be caused by a Street Tree, the stoppage shall be resolved in the manner identified in Table 1.
6. If City staff concurs with the licensed plumber using CCTV that the stoppage is located in the Public Sewer, in the Connection Point with a Public Sewer or caused by a Street Tree, the property owner may submit invoices identifying the costs incurred to locate and clear the stoppage to the City for evaluation. City will reimburse the property owner for any reasonable costs incurred.
7. If stoppage is caused by a unlawful discharge, as defined in MC 13.12.010, in the Connection with a Public Sewer or in the Public Sewer, City forces or City contractors will clear stoppage and charge the property owner for all costs associated with the clearing/removing the stoppage.
8. If repair/replacement, including those necessitated by construction defects, is necessary to restore sewer service in the Sewer Lateral, the property owner shall obtain a permit from the

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City prior to performing any work, and the work shall be performed in accordance with City rules and regulations. The attached document entitled “Sewer Lateral Replacement Process” has been prepared for property owners to help them comply with all requirements and obtain permits necessary to work in the public right of way.

9. If Sewer Lateral must be relocated due to the construction of projects sponsored by the City, the City will bear the costs of this relocation.
10. If the existing sewer lateral serving the property is not adequate because of size, depth, location or any other factor, the entire cost of any corrective work shall be borne by the property owner.
11. It is the property owner’s responsibility to expose Property Line Cleanout. City crews may not access the sewer lateral from any point further into private property than the Property Line Cleanout.
12. Any connection of a lateral or work on a connection to a Public Sewer shall be performed only by the City or a City approved contractor in accordance to the attached document entitled “Sewer Lateral Replacement Process”.

TABLE 1 – Street Tree Stoppage-Repair/Replacement Matrix

Location	Cause	Action
Stoppage or the need for repair/replacement is in Sewer Lateral	Street Tree	City will cause the work to be done and pay for valid expenses incurred by property owner in determining the location of stoppage-need for repair/replacement.
Stoppage or the need for repair/replacement is in Connection with the Building	Street Tree	Property Owner will cause the work to be done. After completing repairs, expenses should be submitted to the City for review. Valid expenses will be reimbursed.
Stoppage or the need for repair/replacement is in Sewer Main / Connection Point with Public Sewer	Street Tree	City will cause the work to be done and pay for valid expenses incurred by property owner in determining the location of stoppage-need for repair/replacement.
Stoppage or the need for repair/replacement is in both Sewer Lateral and Connection with Building	Street Tree	City crews will repair/replace the portion of pipe within the Public Right of Way (or City easement) and Property Owner will repair/replace that portion of pipe within Private Property and submit to the City for reimbursement

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EXHIBIT "A" DEFINITIONS

