

SEWER USE ORDINANCE CHANGES 2006

Definitions:

- **REHABILITATION.** A City sponsored project designed to replace or repair any portion of the sewerage conveyance system including but not limited to; sewer mains, manholes and connections to the main sewer line.
- **LATERAL.** The portion of the sewerage conveyance system leading from a private home, building, lifts station, business or approved structure to the City sewer main.
- **PROJECT DIRECTOR.** The City Engineer or Wastewater Superintendent responsible to oversee a given contracts supervision and oversight.

Additions to existing SUO: May require new § 51.54 SEWER treatment

- This section is not intended to nullify any previous sections of the Sewer Use Ordinances. It is intended to record and explain the reasons for a sanitary sewer rehabilitation project in the City. Another case has previously been taken to the United States Supreme Court to determine if a City Utility has the right to gain access onto private property for the purposes of removing sources of I & I from the sanitary sewer system. The Court ruled that these utilities do have the right to replace and/or repair a private lateral to protect the wastewater treatment plant, sewer system and associated environmental and financial concerns of a utility. The Board of Works & Public Safety or controlling authority of that utility shall determine the cost burden of these projects.
- **SEWER REHABILITATION PROJECT GENERAL FORMAT.** The project shall be directed by the City Engineer and/or the Wastewater Superintendent and hereafter referred to as the "Project Director". City personnel and/or a private contractor authorized by the Board through a normal bidding process shall complete the rehabilitation work. When determined by the Project Director, and agreed upon by the Contractor, the Utility may renew the contract for 1 year when it is in the Cities best interest to do so. The area for rehabilitation will be determined by the Project Director, who will notify the affected parties by a hand delivered flier or other approved notification manner. The contractor will be instructed as to the appropriate rehabilitation methods for that area. The sewer mains, laterals and associated manholes will be repaired or replaced as instructed by the Project Director. The Project Director will determine the length of each private lateral replacement, which at a minimum, will be from the sewer main to a location approximately 2 ft. from the building foundation. Decorative landscaping, decks or other structures may prohibit the length of the lateral replacement. Pre-televising of the mains and laterals will determine the sewer lines that will receive repairs or replacement. A purchased home, rental home, business, commercial establishment or other structure approved by the Project Director will be included in the rehabilitation project. Along with a 1-year warranty on workmanship, all streets, sidewalks, lawns, easements or other items

involved in the sewer rehabilitation are the responsibility of the contractor to repair unless other arrangements have been made with the Project Director. Ownership of the private laterals remains with the property owner. It in no way relieves the responsibility of maintenance or upkeep required by previous sections of this ordinance.

EMERGENCY LATERAL REPLACEMENT PROGRAM. A Utility funded project to assist homeowners with the total replacement of a private lateral. Under no circumstances can ownership of the private line be relinquished to the Utility. Assistance by this program requires the residing homeowner of this property to notify the Wastewater Utility of a major or continuing problem with interrupted sanitary sewer service. The Utility Superintendent or appointed representative must approve the continuation of the program, which includes but not limited to: 1) complete an application provided by the Utility, 2) at the owners expense, have their lateral serviced and televised concurrently, if possible, 3) provide access to a contractor for the repair or replacement of the lateral. The Utility will require sufficient time to acquire an outside contractor when needed and request locates from the Indiana Underground Plant Protection Service to prevent other service lines from being damaged. The contractor will repair all lawns, sidewalks, drives and streets. The Utility Superintendent reserves the right to refuse or delay assistance with this program to anyone, providing these reasons are explained to the residing homeowner. Commercial, industrial and rental properties are not eligible for this program. Grievances shall be heard at a Board of Works & Public Safety Meeting for resolution.