

Division III. Sewage and Sewers

Chapter 13.32

CONSTRUCTION—MAINTENANCE

Sections:

- 13.32.010 Application of provisions.**
- 13.32.020 Definitions.**
- 13.32.030 Permit—Required.**
- 13.32.040 Permit—Application—Contents.**
- 13.32.050 Permit—Granting.**
- 13.32.060 Inspection of work.**
- 13.32.070 Bond requirement.**
- 13.32.080 Conformance to town standards—Required.**
- 13.32.090 Connections—Per parcel of land.**
- 13.32.100 Connections—Per structure.**
- 13.32.105 Connections—Fee.**
- 13.32.110 Property owner responsibility.**

13.32.010 Application of provisions.

The provisions of this chapter shall not apply to any work done or to be done pursuant to the street improvement laws of the state, or of any of the laws of the state providing for such improvement, nor to any work done or to be done pursuant to any contract for improvement made by the city council; nor shall the provisions of this chapter apply to any work done in connection with the laying, construction, repair or maintenance of a side sewer or lateral as the term is defined in Section 13.32.020; and this chapter shall not be deemed to repeal, affect or modify any chapter of this code as applicable to side sewers and/or laterals. (Prior code § 70.8.20(f))

13.32.020 Definitions.

A “side sewer” or “lateral sewer,” as the term is applied in this chapter, means the private sewer or drain extending from the structure or building which it serves, to the main sewer with which it connects and into which the sewage empties and includes any portion of said side sewer or lateral which may

extend across or through streets or public rights-of-way, even though these portions of a side sewer or lateral were installed or constructed as part of original public work. (Prior code § 70.8.20(g))

13.32.030 Permit—Required.

It is unlawful for any person, firm or corporation to construct, repair or maintain any sewer, or system of sewers, in, on or under any public or private street, avenue, lane, alley, court, place or public way, right-of-way, or upon any parcel of land, whether public or private, without first obtaining a permit so to do from the town as provided in this chapter. (Ord. 608 § 15 (part), 2000; prior code § 70.8.20 (part))

13.32.040 Permit—Application—Contents.

An application for permission to construct, repair or maintain any such sewer or system of sewers shall be presented to the town and in the event that the work proposed is for a new sewer, said application shall be accompanied by plans and profiles showing the exact location, grade and elevation to which said sewer is proposed to be constructed, and the location and method by which the new work is proposed to be connected to any existing Hillsborough system. (Ord. 608 § 15 (part), 2000; prior code § 70.8.20(a))

13.32.050 Permit—Granting.

No actual sewer construction or repair shall be commenced until a permit therefore is granted by the town. After the granting of such permit, the applicant may proceed with the construction or repair of said sewer or system of sewers, or in the case of new subdivisions, the applicant may agree by contract with the town to guarantee the construction and installation in accordance with provisions of the subdivision laws of the town. (Ord. 608 § 15 (part), 2000; prior code § 70.8.20(b))

13.32.060 Inspection of work.

All sewer work of any character must be performed under the direction and inspection of the city engineer, and the applicant shall pay a fee (per the

encroachment fee schedule) for the inspection of such work, which shall adequately reimburse the town for all costs. (Ord. 608 § 16, 2000; prior code § 70.8.20(c))

13.32.070 Bond requirement.

Any applicant requesting a permit for the construction or repair of sewers shall file with the city engineer a performance bond to guarantee that the roadway and pavement, if any, will be restored to the same condition as before excavation; the amount of such bond shall be fixed by the city engineer. (Ord. 608 § 17, 2000; prior code § 70.8.20(d))

13.32.080 Conformance to town standards—Required.

All sewer construction work performed in the town shall conform to the specifications contained in the standard of the town, copies of which are on file in the offices of the city clerk and city engineer and any duly adopted amendments thereto. (Ord. 608 § 18, 2000; prior code § 70.8.20(e))

13.32.085 Stormwater excluded from sewer system.

Stormwater shall not be introduced into the sanitary sewer system, but shall be confined to the surface and subsurface storm drainage facilities provided. (Ord. 625 § 1, 2001)

13.32.090 Connections—Per parcel of land.

Every lot or parcel, as delineated on the official map of the town, is entitled to one sewer lateral connection and no more, unless:

A. On the lot or parcel are two or more existing structures requiring connection to a main sewer, in which case the lot or parcel is entitled to as many laterals as are required to provide sewer service to the existing structures; or

B. The lot or parcel has street frontage on two or more streets and each such frontage is in excess of one hundred fifty feet, in which case the lot or parcel is entitled to one lateral for every one hundred fifty feet of street frontage. (In other words, such lot or parcel would be entitled to a minimum of two additional laterals.) In such event, no lateral shall be located less than one hundred fifty feet from any another lateral on the same lot or parcel, nor, in the case of corner lots, shall the lot or parcel be entitled to more than one lateral within one hundred fifty feet of a street intersection. (Ord. 608 § 19, 2000; prior code § 70.8.20(h))

13.32.100 Connections—Per structure.

All sewer lateral connections from a main sewer shall be made on a direct connection with the structure which is to be drained therein, and no more than one dwelling house shall drain into one lateral. (Prior code § 70.8.20(i))

13.32.105 Connections—Fee.

All sewer connections described in this chapter are subject to a sewer connection fee, payable prior to any connection to the main sewer. The following sewer connection fees are effective on and after February 13, 2007:

Existing		New	
Residential	\$6,764	Residential	\$9,919 (as of 2/13/07) per standard residential connection (subject to recalculation if usage is substantially different from typical); thereafter annually changed based on the change in the Engineering News Record Construction Cost (ENR-CCI) 20-City Average Index
Residential with 2nd unit	8,455		

Existing		New	
Nonresidential	27,057	Nonresidential	To be determined based on estimated wastewater flow and strength according to the EDU formula shown in Section 13.34.030 of this code.

All sewer connection fees collected shall be used only for the purposes allowed by law. (Ord. 674 § 2, 2007; Ord. 666 § 1, 2006; Ord. 660 § 1, 2005; Ord. 653 § 1, 2004; Ord. 646 § 1, 2003; Ord. 635 § 1, 2002; Ord. 622 § 1, 2001; Ord. 608 § 20, 2000; Ord. 572 § 1, 1999; Ord. 416, 1985)

13.32.110 Property owner responsibility.

A. Any lateral sewer or private side sewer which connects with a main sewer in any public street, road, or easement in the town and which has become broken or in need of repair and any water pipeline and connection to the town's meter which pipeline or connection has become damaged or deteriorated shall be repaired by and at the cost and expense of the property owner whose property is drained through such sewer or served by such water pipeline and connection to the town's meter. It is the duty of such property owner to keep such sewers, pipelines and connections in good condition and repair and, if ever any shall be in bad condition or out of repair, to report that fact to the city engineer and to make prompt repairs thereto as required by this chapter. In addition, the city engineer may require that any lateral be inspected at the property owner's expense, including by video inspection, if there are reasonable grounds to suspect that the lateral is damaged, deteriorating, or has defects.

B. Whenever title to any improved parcel of land is to be transferred to or vested in any person(s) or entity(ies) not theretofore holding such title, all private side sewers and all lateral sewers and all water pipelines and connections to the town's meters shall be tested for infiltration and leaks and inspected (including video inspection) for any other damage, deterioration, or defects requiring repair, and all side and lateral sewers shall be inspected for the presence of an opera-

tional IAMPO-approved back flow prevention device. (Without limiting the generality of the foregoing, foreclosures and transfers of undivided interests-but not transfers to the transferor's living trust-constitute transfers of title triggering the requirements of this subsection.) If no such back flow prevention device is in place, and the side and lateral sewers are not sufficiently above grade to prevent a sewage back flow (or if there is an insufficient number of such devices or if such devices are not effectively located), as many such devices shall be installed, prior to the transfer of title, where and as needed to provide effective back flow prevention.

C. All testing and inspection procedures shall be approved in advance by the town and done at the expense of the owner whose property is drained or served by the subject sewer, water pipeline or connection. All repair, replacement or upgrade work (including, but not necessarily limited to, installation of IAPMO-approved back flow prevention devices) necessary to prevent all property damage, infiltration and leaks and to otherwise restore the sewers and water pipelines and connections to good operating condition, shall be approved by the town in advance and shall be completed at the property owner's expense (or as the property owner and transferee otherwise apportion the costs between them) prior to the property transfer or vesting of title. Arranging for all such testing, inspection and repair shall in all events be the responsibility of the owner whose property is drained or served by the subject sewer, water pipeline or connection. The requirements for testing, inspection, back flow certification and/or repair may be waived by the city engineer, at his or her discretion, for any parcel whose lateral sewer, water pipeline or connection draining or servicing such parcel has been tested, back flow certified

and inspected (and repaired if indicated) pursuant to this section within the two-year period immediately preceding the proposed transfer or vesting of title.

D. If any transfer or vesting of title is completed in violation of the provisions of subsections B. and C. of this section, the person(s) or entity(ies) who are owners of such parcel after such transfer or vesting shall be responsible for completion of such testing, inspections and repairs. Failure to do so, after notice from the town, shall be deemed a public nuisance under Section 8.16.010 and applicable provisions of Sections 8.16.020 and 8.16.030 of this Code and subject to abatement under the provisions of Chapter 8.16 of this Code in addition to any other remedies.

E. The provisions of subsections B., C., and D. of this section, except for the inspection and certification of back flow devices, shall take effect for any transfer or vesting of title occurring on or after Friday, November 10, 1989. The provisions of subsections B. and C. requiring inspection and certification of back flow devices shall take effect for any transfer or vesting of title occurring after Monday, July 15, 2002. Without limiting the foregoing, transfer of title of real property, the sale of which is being handled in escrow, shall occur on the date such escrow closes.

F. The building department shall establish the necessary administrative procedures to implement this section and shall collect inspection fees for (1) the observation of the performance of the initial testing of sewer laterals and/or water service and related inspection and (2) the observation of the performance of each subsequent retesting (required because previous test results were unsatisfactory) and related inspection, including, without limitation, inspection of repairs or replacements made to the sewer laterals and/or water service. The amount of such fees shall be set in the Master Fee Schedule. (Ord. 654 § 15, 2004; Ord. 634 §§ 1—3, 2002; Ord. 608 §§ 21, 22, 2000; Ord. 490, 1991; Ord. 464, 1989; Ord. 460, 1989; Ord. 457, 1989; prior code § 70.8.20(j)) (Ord. No. 685, § 1, 11-10-08)

Chapter 13.36

PROHIBITED CONNECTIONS

Sections:

Article I. Generally

- 13.36.010 Wastewaters, stormwaters.**
- 13.36.020 Yard, garden, private
stormwater drainage facilities.**
- 13.36.030 Inspection—Abatement of
noncomplying condition.**

Article II. Building Stormwater Drains

- 13.36.040 Above ground termination—
Required.**

Article I. Generally

13.36.010 Wastewaters, stormwaters.

No person or persons, firm or corporation owning, possessing or having the control of any building or other premises within the town shall discharge or cause, permit or allow to be discharged into any public sanitary sewer, drain or manhole connected with the sanitary sewage system of the town or into any private sewer or drain connected with any such public sewer, drain or manhole, any stormwater or water used in the irrigation of said premises, or any wastewater from any stable, barn, garage or outhouse, situated upon the premises; excepting the sewage from any toilet, lavatory, sink or bathtub or shower upon or in said premises, and further excepting the natural and ordinary drainage from cellar floors as provided in this chapter. (Prior code § 70.8.24 (part))

13.36.020 Yard, garden, private stormwater drainage facilities.

No yard, garden or other private stormwater drainage facilities, either existing on the effective date of the provisions codified in this chapter, or hereafter installed, shall connect with the town sanitary sewage system. (Prior code § 70.8.24(b))

13.36.030 Inspection—Abatement of noncomplying condition.

The authorized representative of the town may enter any premises to determine whether or not yard, garden or other private drainage facilities connect with the town sanitary sewage system. In the event he has determined that such connection exists, he shall give written notice to the owner or occupant of the premises ordering the disconnection thereof within thirty days. The person to whom such order has been given, shall, within said period of thirty days, notify the town, in writing, at the Hillsborough Town Hall, that such order has been complied with. In the event that the town does not receive such notification within the specified time, the town may terminate the connection after giving the owner or occupant ten days' written notice thereof (sent by registered mail), the notice to the owner to be addressed to the owner as the owner's name and address appear on the last equalized town assessment roll. In the event the town terminates the connection, the cost shall be borne by the owner of such premises, and it shall become a debt collectible by the town. (Ord. 608 § 26, 2000: prior code § 70.8.24(g))

Article II. Building Stormwater Drains

13.36.040 Above ground termination— Required.

All building stormwater drains existing on the effective date of the provisions codified in this chapter, or hereafter installed, shall be carried by an independent line to the outside of the building, or to the curb as rainwater leaders, but in any event all such building stormwater drain spouts shall not connect with the town sanitary sewage system. (Ord. 608 § 27, 2000: prior code § 70.8.24(a))