



## MEMORANDUM

**To:** Public Works Committee

**From:** Angela M. Podesta, Utilities Superintendent *AMP*

**Through:** David P. Gorman, Acting Director of Public Works *DPG*

**Date:** September 4, 2008

**Subject:** Sewer Stub Ordinance Revision

The Sewer Stub Ordinance does not reflect current practices and staff recommends that it be updated with the attached Ordinance.

### Background

At the August 12<sup>th</sup> Public Works Committee meeting, the Committee requested that staff revise the Sewer Stub Ordinance to reflect the following practices:

- Village will have a contract with a plumber with set rates for rodding;
- Residents will have the option of using the plumber the Village contracted with, using another plumber, or doing the rodding themselves;
- When using plumber under contract with the Village, rodding costs for blockages within Village Right-of-Way will be charged directly to the Village;
- When using another plumber, rodding costs for blockages within Village Right-of-Way will be reimbursed at a rate equal to the set rates in the contract the Village has with a plumber for mechanical rodding services; and
- Applies to all residential and commercial properties.

Regarding the last point, staff has considered that it is difficult to justify the exclusion of churches, schools, industrial building owners from this program if commercial properties are to be included. Therefore, the revised ordinance would apply to all property owners regardless of the land use.

### Recommendations

Staff requests the Public Works Committee review and recommend the proposed Sewer Stub Ordinance to the Village Board for their approval at their September 18, 2008 meeting.

AMP

## ***MAINTENANCE OF SEWER STUBS***

### **§ 50.065 DEFINITIONS.**

For the purpose of Sections 50.065 through 50.069 of this Code, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***CLEANING.*** The rodding, flushing, or scouring of the inside of the sewer service line to remove obstructions or blockages caused by, or as a result of the actions of the property owner.

***MECHANICAL RODDING.*** The process of unclogging a private sewer service and/or sewer stub with a sectional or drum style machine with steel cable and cutter head.

***PRIVATE SEWER SERVICE.*** That portion of the sewer service line from the sewer stub to the building connection.

***PROPERTY OWNER.*** The owner or occupant of any building located within the Village.

***PUBLIC RIGHT-OF-WAY.*** Real property which has been formally dedicated for right-of-way purposes, is subject to an easement for right-of-way purposes or is subject to a public utility easement.

***REPAIR.*** The removal and replacement, alteration, or mending of the structure of the sewer service line, including necessary earth work, pavement replacement, and landscape restoration.

***SEWER SERVICE LINE.*** The sewer line running from the main sewer line under the jurisdiction of the Village to the building connection.

***SEWER STUB.*** That portion of the sewer service line that lies within the public right-of-way.

### **§ 50.066 INTENT.**

It is the intent of Sections 50.065 through 50.069 of this Code to set forth the circumstances under which, and the procedures pursuant to which, a property owner can be reimbursed for, or the Village will be billed directly for, the cost of the mechanical rodding of the sewer service line.

### **§ 50.067 ELIGIBILITY.**

Any property owner, that requires the mechanical rodding of a sewer service line, shall be eligible to have the cost of said mechanical rodding paid for, or reimbursed, by the Village, as provided for in Section 50.068 of this Code. There shall, however, be no payment/reimbursement for a mechanical rodding that constitutes a cleaning or for a repair of a private sewer service.

### **§ 50.068 PROCEDURE.**

(A) Any property owner who desires to possibly have the Village pay for the cost of the mechanical rodding of a sewer service line shall comply with and abide by the following requirements:

- (1) The property owner shall notify the Public Works Department of a sewer backup in progress.
- (2) The Village will verify that the backup is not as a result of a problem with the main sewer line under the jurisdiction of the Village. If the backup is not a result of a problem with the main sewer line, the property owner shall either contact the plumber under contract with the Village, or hire a plumber of the property owner's choosing, to perform a mechanical rodding. A representative of the Village must be present to witness the mechanical rodding for plumbers not under contract with the Village.
- (3) If mechanical rodding clears the sewer service line, and roots or a collapsed pipe in the sewer stub were not the problem, the mechanical rodding shall be deemed a cleaning, no monetary reimbursement shall be made to the property owner as a result of the mechanical rodding, and the property owner shall be responsible for paying the plumber for the cost of said mechanical rodding.
- (4) If the mechanical rodding reveals that the sewer backup was a result of roots or a collapsed pipe in the sewer stub, and the property owner has hired the plumber under contract with the Village, the plumber under contract with the Village shall bill the Village for the cost of the mechanical rodding at the price as set forth in said plumber's contract with the Village.
- (5) If the mechanical rodding reveals that the sewer backup was a result of roots or a collapsed pipe in the sewer stub, and the property owner has hired a plumber other than the plumber under contract with the Village, the Village shall reimburse the property owner for the actual cost of the mechanical rodding, not to exceed the amount that would have been charged by the plumber under contract with the Village.

- (B) A repair to the sewer stub shall be performed by the Village, unless the Public Works Department authorizes the plumber chosen by the property owner to perform said repair in conjunction with a repair to the private sewer service, with any repair to the sewer stub being at the Village's cost. A repair to the private sewer service shall be performed by a plumber chosen by the property owner at said property owner's cost.

**§ 50.069 APPEAL TO BOARD OF TRUSTEES.**

Any property owner who disagrees with the determination of the Public Works Department as to whether payment/reimbursement is in order relative to the mechanical rodding of a sewer service line, may take an appeal to the Village Board by submitting a letter of request to the Village Clerk within ten (10) days of the date of the decision of the Public Works Department not to pay for/reimburse the cost of the mechanical rodding of the sewer service line. Upon receipt of such letter, the Village Clerk shall place the matter on the next Village Board regular meeting agenda for consideration by the Village Board. No change in the Public Works Department's determination shall be approved by the Village Board unless it is approved by the favorable vote of two-thirds of all members of the Village Board