

ORDINANCE NO. 81

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT,
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
ADOPTING A PRIVATE SEWER LATERAL COMPLIANCE POLICY**

WHEREAS, the Lake Arrowhead Community Services District Board of Directors desire to adopt the District's Private Sewer Lateral Compliance Policy as set forth in the attachment; and

WHEREAS, on May 23, 2017, District staff brought before the Board for their approval a Private Sewer Lateral Compliance Policy. The Board did not approve the staff recommended policy and instead requested that staff re-write the policy without a specific measure requiring a point of sale trigger; and

WHEREAS, on August 9, 2017, the District Board of Directors adopted the Private Sewer Lateral Compliance Policy, which provides for efforts to reduce Inflow & Infiltration (I&I) exfiltration, and Sanitary Sewer Overflows to and from privately owned sewer laterals from entering into the wastewater collection system. The policy establishes fair and consistent policies and procedures for the testing, repair, and replacement of all defective sewer laterals; and

WHEREAS, the Private Sewer Lateral Compliance Policy must be approved by Ordinance; and

WHEREAS, the first reading of this Ordinance occurred at the Regular Meeting of the Board of Directors on September 26, 2017, notice of the time and date of said Regular Meeting was given in accordance with the requirements of California law for the posting of the notice and agenda for such a Regular Meeting, at which time the Board of Directors provided the public with an opportunity to provide comments and testimony.

THE BOARD OF DIRECTORS OF THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:

1. Incorporation of Recitals The Recitals set forth above are incorporated herein and made an operative part of this Ordinance.
2. Adoption of Private Sewer Lateral Compliance Ordinance 81, Private Sewer Lateral Compliance Policy, which is set forth in the attachment, is hereby adopted.
3. Effective Date This Ordinance shall be effective 30 days after adoption.

The foregoing Ordinance **ADOPTED** by the Board of Directors of the Lake Arrowhead Community Services District at a Regular Meeting held on October ___, 2017 by the following votes:

- AYES:**
- NOES:**
- ABSTENTIONS:**
- ABSENT:**

Bill Thompson, President of the Board of Directors of the Lake Arrowhead Community Services District

ATTEST

Kathleen Field, Secretary of the Lake Arrowhead Community Services District and to the Board of Directors

(SEAL)

LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT



PRIVATE SEWER LATERAL COMPLIANCE POLICY

Standards & Procedures

2017

PRIVATE SEWER LATERAL COMPLIANCE POLICY
STANDARDS & PROCEDURES
TABLE OF CONTENTS

- 1.0 Purpose and Applicability**
- 2.0 Definitions**
- 3.0 Compliance Inspection**
 - 3.1. Maintenance and Inspection Requirements
 - 3.2. Inspection Procedures
 - 3.3. Waiver of Inspections
- 4.0 Maintenance, Repair, Replacement of Sewer Lateral**
 - 4.1. Maintenance, Repair, Replacement of Sewer Lateral
 - 4.2. Maintenance, Repair, Replacement of Shared Sewer Lateral Corrections
 - 4.3. Backwater Valve or Overflow Device Required
- 5.0 Certificate of Lateral Compliance**
- 6.0 Long Term Compliance**
- 7.0 Failure to Comply**
 - 7.1. Violation for Failure to Comply
 - 7.2. Notification to Property Owner

Section 1 – Purpose and Applicability

The purpose of the policy is to reduce Inflow & Infiltration (I&I), exfiltration, and Sanitary Sewer Overflows (SSO) to and from privately owned sewer laterals.

Poorly operating or failing private sewer laterals allow I&I which can lead to hydrological overloading (surcharging) of the sanitary sewer collection system during rain events contributing to sanitary sewer overflows (SSO's). Additionally, the lack of their integrity promotes ex-filtration contaminating private and public property, resulting in a public health concern. Additionally, exfiltration and SSO's are a threat to the receiving waters they flow to.

This policy establishes fair and consistent policies and procedures for the testing, repair, and replacement of all defective sewer laterals. To affect the purposes of this policy, LACSD may enter upon private property for inspecting, testing, and repair of the sewer laterals.

A sewer lateral is owned by the property owner whose property is served by the lateral and therefore is also responsible for its maintenance and repair. This policy does not reduce, negate, change, modify, or eliminate this basic understanding.

Section 2 – Definitions

The following terms apply to this chapter and augment definitions found in the Uniform Plumbing Code.

- (a) *“Backwater Device”* means a valve that is opened by the flow of sewage exiting a structure but closes when the flow reverses, preventing sewage from backing into the structure. All backwater devices shall conform to the specifications set forth in the Uniform Plumbing Code and all guidelines.
- (b) *“Certificate of Lateral Compliance”* means the certificate issued by the LACSD Engineering Office certifying that a lateral complies with the standards set forth in this policy.
- (c) *“LACSD”* or *“District”* means the Lake Arrowhead Community Services District.
- (d) *“Cleanout”* means a segment of pipe connected to a sewer lateral and rising to the surface, providing access to the lateral for purposes of inspection and removal of obstructions. (See also *“two-way cleanout,”* defined below.)
- (e) *“Common interest development”* means a development characterized by individual ownership of a unit or parcel coupled with the shared ownership or right to use common areas and facilities, including, but not limited to, condominium projects, community apartment projects, stock cooperatives and planned developments.
- (f) *“Lateral”* or *“sewer lateral”* means the sewer pipeline conveying wastewater from the premises of a user to the District’s sewer system. The sewer lateral is the portion of the sewer serving a property starting at the structure or building and running to and including the connection to LACSD’s main line.
- (g) *“Main”* or *“sewer main”* means any sewer pipe within a public or private street or right-of-way receiving or intended to receive the discharges of one or more sewer lateral(s).
- (h) *“Maintenance”* means routine flushing or rodding of a sewer to maintain a free-flowing condition.
- (i) *“Overflow device”* means a device designed to relieve the pressure created when a gravity sewer is flowing full. All overflow devices require the approval of the District Engineer for proper application before their installation.
- (j) *“Person”* means any individual, partnership, firm, company, corporation, association, Joint Stock Company, trust, estate, governmental entity or any other legal entity, or their legal representative, agents or assigns.
- (k) *“Plumbing fixtures”* means sinks, baths, showers, toilets, bidets, and all fixtures

and appliances, such as dishwashers and washing machines, from which water or wastewater are discharged.

- (l) *"Repair"* means physical exposure of a section of pipe and/or appurtenances for the purpose of resuming proper operating condition.
- (m) *"Replacement"* means removal and replacement of existing pipe and/or appurtenances.
- (n) *"Sewage"* means water carrying wastes from residences, business buildings, institutions and industrial establishments; together with such other waters as may be present, or any combination of such wastes and water.
- (o) *"Sewer facilities"* means and includes the sanitary sewage collection system owned and operated by the District, all appurtenances thereto, and all portions thereof.
- (p) *"Sewer lateral"* shall have the same meaning as *"lateral,"* defined above.
- (q) *"Storm sewer"* or *"storm drain"* means a pipe or conduit which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- (r) *"Subdivide"* means to cause land to be divided into separate developed or developable lots that are or may be owned by different persons.
- (s) *"Two-way cleanout"* means a "Y"- or "V"-shaped segment of pipe connected to a sewer lateral and rising to the surface, providing access to the lateral in both directions for purposes of inspection and removal of obstructions.
- (t) *"User"* means and includes any person who causes or permits a discharge of sewage into the District's sanitary sewer system.

Section 3 – Compliance Inspection

3.1. Maintenance and Inspection Requirements

- (a) The owner of a sewer lateral must, at the owner's expense, inspect, maintain in good working order, repair, rehabilitate and replace, as necessary, the sewer lateral so that it does not cause or contribute or threaten to cause or contribute to any sewage leakage or overflow from either the private sewer lateral or the public sewer. The private sewer lateral must be maintained in accordance with the standards in the latest edition of the Uniform Plumbing Code as adopted by the District in its Standard Specifications and Drawings, be free of displaced joints, open joints, root intrusion, substantial deterioration of the line, cracks, leaks, inflow, infiltration of extraneous water, fats, oils and grease, sediment deposits or any other similar conditions, defects or obstructions likely to cause or contribute to blockage of the private sewer lateral or the public sewer.
- (b) The owner of a sewer lateral must inspect or cause the sewer lateral to be inspected in accordance with the requirements of this policy and submit a report of the inspection to the District in any of the following cases:
- (i) **Repair/Replacement of the Sewer Lateral.** Whenever any portion of the sewer lateral is repaired or replaced.
 - (ii) **Upgrades and Remodeling.** Whenever a property is remodeled to include additional plumbing fixtures that discharge to the sanitary sewer system.
 - (iii) **Private SSO.** Whenever two (2) or more SSO's occur from a sewer lateral within a rolling 2-year period.
 - (iv) **Change of use.** When a change of use from residential to non-residential occurs.
 - (v) **Notice.** Whenever the District determines from its operation, maintenance or inspection of the sewer facilities, or through any other means, that a sewer lateral is defective or otherwise in a condition that might cause leakage from or blockage in the sewer lateral or the sewer facilities. Conditions that render the private sewer lateral defective or in a condition that might cause a blockage include, but are not limited to, displaced joints, open joints, root intrusion, substantial deterioration of the line, cracks, leaks, inflow, infiltration of extraneous water, fats, oils and grease, sediment deposits or any other similar conditions, defects or obstructions likely to cause or contribute to blockage of the sewer lateral or the sewer facilities. The District's written notice will set forth a reasonable time in which the inspection must occur and will require the property owner to submit an inspection report meeting the requirements of this Policy to the District within a

reasonable time, to be specified in the written notice, after completion of the inspection.

- (c) In the case of a common interest development, an inspection complying with the requirements of this policy may satisfy the inspection requirement for any unit in the development which is sold within one year after the inspection is completed if the inspection includes the lateral serving the unit being sold.

3.2. Inspection Procedures

Each test or inspection required by this policy must be accomplished in accordance with the following requirements:

- (a) The inspection must be completed by a licensed plumber.
- (b) The inspection must be by colored Closed Circuit Television Video (CCTV) recording observation.
 - (i) The video must meet the following requirements:
 - 1) be submitted in electronic format such as a DVD or other electronic storage device acceptable to the District
 - 2) contain clear color imagery, not cloudy, fuzzy, or otherwise unclear images
 - 3) show the address of the lateral
 - 4) show the date the video was taken
 - 5) clearly show the cleanout or access point used to insert the camera into the lateral
 - 6) have a running footage indicator clearly visible on the screen
 - 7) identify displaced joints, open joints, root intrusion, substantial deterioration of the line, cracks, leaks, inflow or infiltration of extraneous water, sediment deposits or other conditions likely to cause or contribute to blockage of the private lateral or the public sewer
 - 8) where joints or other defects listed in this section are present, briefly stop the camera for at least 3 seconds at each to clearly indicate their condition
 - 9) include the date the DVD was submitted to the District written

on the DVD along with the address of the inspection site and telephone number or email address if preferred for the point of contact

- (c) At the District Engineer's discretion, the video may be returned for resubmission in accordance with the above requirements if any of the above requirements are not strictly adhered to.
- (d) A copy of the inspection report shall be provided to the District within thirty days of the property owner's receipt of the report. The inspection report must identify the following:
 - (i) Displaced joints, open joints, root intrusion, substantial deterioration of the line, cracks, leaks, inflow or infiltration of extraneous water, sediment deposits or other conditions likely to cause or contribute to blockage of the private lateral or the public sewer.
 - (ii) Any connection by pipe or otherwise, that allows rainwater or groundwater to enter the private lateral or public sewer.
 - (iii) Any backwater device installed in the private sewer lateral and the condition of the backwater device.
 - (iv) All corrective actions that must be taken to maintain, repair, rehabilitate or replace the private sewer lateral and the estimated time and cost associated with such maintenance, repair, rehabilitation or replacement.
 - (v) If a video inspection was completed, a recording of the video inspection of the private sewer lateral.

3.3. Waiver of Inspections:

In the District Engineer's sole discretion, the District Engineer may waive the requirement to inspect a sewer lateral in the following cases:

- (a) The sewer lateral was constructed within the last 10 years, and a Certificate of Lateral Compliance was issued, and no defects or SSOs have been associated with the sewer lateral within the previous 10 years.
- (b) The lateral was completely replaced within the last 10 years, as demonstrated by receipts or invoices from the contractor that show the repair/replacement was done, have a Certificate of Lateral Compliance on file with the District, and no defects or SSOs have been associated with the sewer lateral within the previous 10 years.

Section 4 – Maintenance, Repair, Replacement of Sewer Lateral

4.1. Maintenance, Repair, Replacement Required

- (a) District designated staff will review and evaluate the inspection report to determine whether the lateral is eligible for the issuance of a Certificate of Compliance or whether maintenance, repair or replacement are required.
- (b) Broken pipe, offset and/or distorted joints, root intrusion, lack of cleanouts, additional lateral branches other than clean outs, all constitute deficiencies that do not comply with Standard Specifications and will require either repair or replacement.
- (c) The District may provide the property owner with a written notice to maintain, repair, or replace the sewer lateral by taking specified corrective actions by a date to be specified in the written notice. In establishing the date by which the work must be completed, the District may take into account the cost of the work and the risk that the sewer lateral will leak or overflow. The property owner must cause the corrective actions specified in the written notice to be taken by a licensed plumber within the time specified in the notice and in accordance with this Policy. The property owner must provide the District with written notice of completion of the corrective actions in accordance with the requirements set forth in the District's written notice.

4.2. Maintenance, Repair, Replacement of Shared Sewer Lateral Corrections

- (a) When any repairs or replacements are done to sewer laterals jointly shared by more than one building or structure from different properties, each shall require a separate connection to the District's sanitary sewer main as part of the repair.
- (b) If a property with two buildings or structures with plumbing fixtures requiring drainage is subdivided, each building or structure shall require a separate connection to the District's sanitary sewer main as a condition of the subdivision.
- (c) If the sewer lateral is shared with other properties or structures, the necessary repairs, separation of the system, or relocation of the system will be as approved by the District Engineer.

4.3. Backwater Valve or Overflow Device Required

When any repairs are done to a lateral that does not have an existing backwater valve or overflow device, the property owner shall install the appropriate valve or device. It is the responsibility of the property owner to maintain the backwater valve or overflow device in proper operating condition.

Section 5 – Certificate of Lateral Compliance

A Certificate of Lateral Compliance will be issued by the District Engineer when a lateral complies with Specifications as determined upon completion of a successful test.

The District will maintain a record of all certificates issued, including the date of issuance. A Certificate of Lateral Compliance will be valid until subsequent testing is required as outlined in section 3 of this Sewer Lateral Compliance Policy or until an SSO or defect, such as a displaced joint, open joint, root intrusion, substantial deterioration of the line, cracks, leaks, inflow, infiltration of extraneous water, fats, oils and grease, sediment deposits or any other similar conditions, defects or obstructions occur.

Section 6 – Long Term Compliance

It is the intent of the District that the testing, repair, and replacement of the sewer laterals are a continual and ongoing program. The District may, at any time, evaluate the level of infiltration and inflow from properties and, if it is determined that excessive infiltration and inflow exists, all sewer laterals within the property will require compliance with this policy.

Section 7 – Failure to Comply

7.1. Violation for Failure to Comply

Failure to comply with this Sewer Lateral Compliance Policy may subject a property to termination of sewer system and/or water service. Termination may include a physical separation of the property's sewer lateral from the District's wastewater conveyance system. In addition, properties incorporated in the District's potable water system may have their water service shut off until compliance is met.

7.2. Notification to Property Owner

Prior to termination of wastewater and/or water service for violations of this Policy, the District will notify the owner of the intent to terminate. Such notice shall be by mail, and by positing a copy of such notice on the property. Notice shall be given at least fifteen (15) days prior to the termination. No further notice will be given. The notification provisions in this section are not intended to limit the District's ability to terminate service in the event of an emergency.

LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT

**CERTIFICATION OF FULL TEXT OF THE PROPOSED ORDINANCE
NO. 81**

I do hereby certify, that the foregoing ordinance is a full text and complete copy of Ordinance No. 81 and the Private Sewer Lateral Compliance Policy. I declare under penalty of perjury that the foregoing is true and correct.

SIGNED:

Kathleen Field
Kathleen Field, Board Secretary/Clerk of the Board

Executed at Lake Arrowhead, California on September 28, 2017.