

CITY OF PINOLE



SEWER LATERAL ADMINISTRATIVE GUIDELINES

**Adopted by Resolution No. 2012-132
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PURPOSE

This set of Sewer Lateral Administrative Guidelines provides helpful assistance to private property owners when complying with the City's sewer lateral inspection requirements contained in Pinole Municipal Code (the "Code" or "PMC") Chapter 13.20 "Sanitary Sewer Laterals" (the "Ordinance"). These Guidelines satisfy the requirement to establish rules, regulations, guidelines, and policies for implementing and enforcing the City's Sewer Lateral Ordinance PMC Section 13.20.150. These Guidelines may change, from time to time, pursuant to the direction of the City Manager.

I. WHEN INSPECTION IS REQUIRED (PMC §§ 13.20.040, 13.20.050, 13.20.060, 13.20.080)

This Chapter of the Pinole Municipal Code requires property owners to clean and/or test private sewer laterals every ten years, and upon certain qualifying events.

A. Private sewer laterals must be cleaned and/or inspected in response to:

1. The application for a certificate of occupancy for a new building.
2. The installation of additional plumbing facilities based on the number of fixtures, which (in the City's judgment) produce a major increase in sewage flow from the building.
3. A change in the use of the building (for example, from residential to commercial or vice versa).
4. Sale of a building, prior to the close of escrow.
5. Within 180 days of the transfer of a building in a probate or testamentary proceeding.
6. A Notice of Required Inspection by the City of Pinole.

For common interest developments (multiple family condominiums, townhomes or apartment complexes) in which several properties share one sewer lateral, the owner(s) must submit to the City proof of cleaning and testing every ten years

B. Private sewer laterals must be repaired or replaced in response to the following:

1. Any portion of a private sewer lateral being repaired or replacement.
2. A spill from a private sewer lateral.
3. An illegal connection from sump pumps, down spouts, yard or drains
4. Observation of lateral problems (visible roots or grease in the line, failed service connection to the mainline) during inspection of City lines.
5. Potential problems noted during smoke testing and/or air testing or video testing (smoke emitting from the ground or connection of outdoor drain).
6. A notice, from the City Director of Public Works, that the private sewer lateral is defective
7. It is determined, after compliance with Section A above that the sewer lateral is in need of repair or replacement.

II. EXCEPTIONS – SEWER LATERAL INSPECTIONS

Sewer Lateral Inspection and Repairs are not required for the following circumstances:

1. Buildings that were built within ten years of the enactment of Chapter 13.20 of the Code.
2. Buildings that had sewer lateral cleaning and testing within the last ten years, even if one of the qualifying events listed above occurs.
3. A transfer of ownership between family members or into a revocable or irrevocable living trust does not require testing if reassessment of property value is not required by the Contra Costa County Tax Assessor

III. INSPECTION PROCEDURE (PMC §§ 13.20.070, 13.20.090, 13.20.130)

A. Upon any triggering event listed above, the property owner shall:

1. Hire a licensed contractor qualified to provide video inspections, to perform a video inspection of the sewer lateral. Contractor must have both a City of Pinole Business License and a State of California Contractor's License (required State Contractors License - A-General engineering contractor, C-36 Plumbing contractor, C-34 Pipeline contractor, or C-42 Sanitary system contractor).
2. Property owner must notify the City, at least seven days prior to the inspection, with the time and date of inspection.
3. A sewer lateral must be cleaned prior to inspection.
4. Complete a Sewer Lateral Video Review application accompanied by the video recording of the Building Sewer Lateral to the Department of Public Works for review along with the designated fee. At the beginning of such video, the contractor shall state the address of the property and take a photograph of the home. Property Owner shall submit application to the Department of Public Works with the video.
5. The video is valid for a period of six months from the date of the inspection.

B. If it is determined that the sewer lateral is in need of repair or replacement, the process is as follows:

1. The City will send the property owner a Notice to Repair (no later than 30 days of receipt of the video and review fee). The City's database will be updated to indicate repair work is needed for such property.
2. The Notice to Repair will indicate the remediation which may include repair and/or replacement of lateral, and/or installation of a clean-out or a backflow retention device. The Property Owner must complete the work prior to the issuance of a Certificate of Compliance, or a Certificate of Occupancy.

3. Upon completion of the repairs, the property owner must complete the inspection process again and submit a new video to the Department of Public Works. If the sewer lateral complies with the requirements of Chapter 13.20, the property owner will receive approval from the Public Works inspector in the form of a Certificate of Compliance.

If repairs are not completed within the timeframe specified in the Notice to Repair, the City shall record a notice of violation with the County Recorder's office on the property and the property owner will be subject to a fine and other penalties allowed under law. Note that those properties sold or transferred in a probate or testamentary proceeding have 90 days from the date of transfer to complete the necessary repairs otherwise the obligation to inspect, repair or replace the sewer lateral becomes the obligation of the new owner.

IV. INSPECTIONS FOR BUILDING REMODELS:

Inspections are required for any building remodel that will result in the installation of two or more plumbing fixtures, as determined by the Public Works Director.

1. Applicants will be notified of the requirement to submit a sewer lateral inspection video and inspection form by Public Works staff at the time that they submit plans for Community Development review.
2. The property owner or owners' agent will be required to make arrangements with an Inspection contractor to have the line inspected.
3. Public Works Director will review the video and issue either a "Certificate of Compliance" or Notice of Repair.
4. In those cases where a Notice to Repair is issued, the owner or contractor may have to apply for a plumbing permit with the Building Department.
5. The contractor shall comply with Section III (A) & (B).
6. The City will issue a Certificate of Compliance following approval of the repairs.

V. INSPECTION COMMON INTEREST DEVELOPMENTS (§§PMC 13.20.060)

The homeowners' association of a common interest development in which several individually owned units share common sewer laterals shall provide the City with inspection verification of all privately owned Building Sewer Laterals within the common interest areas at least once every ten (10) years for compliance with the duties and obligations imposed by PMC 17.60.030 C(4)(c). If no homeowners' association exists, then the individual unit owners, both jointly and individually, shall be liable for the duties and obligations with respect to Building Sewer Laterals as established by the Pinole Municipal Code.

1. Public Works staff will identify the APN numbers and accompanying addresses for the owners of all properties requiring sewer lateral inspections.
2. Notices will be sent on a rotating schedule to the property address and listed property owner. If a property management company is on record for the site, they will also be provided with a notice.
3. Notices will advise the property owner or property Management Company that a sewer lateral inspection must be completed, and proper documentation submitted to the City within 180 days of the date of the notice. Any damaged sewer laterals, other than those resulting in a health and safety issue, must be replaced over ten (10) years at a minimum of 10% of the laterals per year.
4. If no inspection occurs within the required time, a second notice will be sent requiring inspection within 60 days of the date of the notice, and advising that failure to complete the required inspection will result in the issuance of a citation and penalties.
5. If the inspection is not conducted and/or required forms are not submitted within the required time, a Notice of Violation will be issued together with direction to complete the required inspection within 10 days of the date of the notice or face fines and penalties.

VI. WHEN REPLACEMENT OR REPAIR IS REQUIRED - NON-COMPLIANT SEWER LATERALS (PMC §§ 13.20.040, 13.20.070)

A sewer lateral that is deficient such that the city will issue a Notice to Repair includes one or more of the following conditions:

1. The sewer lateral is not free of roots, grease deposits, and other solids which may impede or obstruct the transmission of sewage.
2. There are improper or illegal connections to the sewer lateral such as sump pumps, down spouts or area drainage facilities.
3. Joints in the sewer lateral are not sound and do not prevent the exfiltration of sewage and the infiltration of groundwater, storm water and/or rain water.
4. The sewer lateral has structural defects, cracks, breaks, and/or missing portions and the grade includes major sags or offsets.
5. The sewer lateral does not have at least one clean-out located within five feet of the building footprint.
6. The sewer lateral does not have a required backflow prevention device.
7. Any other defective conditions referred to in Section 13.20.040 of the Code (such as displaced joints, root intrusion, substantial deterioration etc.) exist.

VII. ENFORCEMENT (PMC §§ 13.05.270) AND PENALTY FOR NON-COMPLIANCE (PMC §§ 13.20.120, 13.20.130, 13.20.160)

If the property owner fails to follow a Notice to Correct Violation within the stated date, the City may:

1. Fine the property owner up to \$100 for the first violation, up to \$200 for the second violation, and up to \$500 for the third and subsequent violations.
2. Record a notice of violation on the property (PMC §§ 13.05.270).
3. Bring an enforcement action against the property owner (PMC §§ 13.05.270).
4. Exercise any other remedy available under the Pinole Municipal Code or State law against the property owner (PMC §§ 13.05.330, 13.05.340, 13.05.350, 8.24, 1.12).

If the property owner fails to comply with the requirements of the Notice to Correct Violation and damages arise from that failure, the property owner will be liable for all damages, fines, assessments, penalties, attorney's fees and other costs pertaining to such failure.

VIII. COORDINATING SEWER LATERAL REPAIRS WITH CITY IMPROVEMENT PROJECTS (PMC § 13.20.140)

Whenever the City plans a project to maintain, repair or replace a public sewer that involves excavation, the City may notify adjacent property owners who's Building Sewer Laterals connect to that Public Sewer main where the project is to be performed and work with them to replace private sewer laterals at the same time.

Following approval of a contract by the City Council to perform repairs to a sewer main, the City will mail notices on property owners who's Building Sewer Laterals connect to that Public Sewer main informing them of the planned repairs to the sewer main.

Property owners shall contact the City to coordinate any sewer lateral repairs.

IX. DEFERRAL (PMC § 13.20.120)

Those property owners who would like to apply for a deferral must submit the following to the Public Works Director:

1. An application for a Deferral, with facts that clearly demonstrate that the amount of time the property owner has for sewer lateral inspection or repair would cause an undue hardship. The written request must include how long the deferral is requested for, up to 180 days.
2. "Undue hardship" includes: (i) severe illness or incapacitation of the property owner; (ii) immediate removal of property owner from the state; or (iii) any physical or financial situation that would render compliance with the time limits for the repair or replacement of sewer lateral extraordinarily difficult or impractical.

3. The property owner must submit documentation, under penalty of perjury, to prove the existence of a bona fide undue hardship, to the satisfaction of the Public Works Director
4. The Public Works Director has sole discretion to grant or deny such requests.
5. If approved, the property will be “flagged” in the computerized building permit system for notification of necessary repairs to the sewer lateral at a later date.
6. A Deferral does not excuse the property owner from complying with the City’s Sewer Lateral Ordinance. It only provides a mechanism for the extension of time to comply with the ordinance.

Attachments:

- A. Definitions
- B. Form: Application for Video Review
- C. Form: Notice of Required Inspection
- D. Form: Notice of Repair Report
- E. Form: Certificate of Compliance
- F. Form: Deferral Application

DEFINITIONS

AIR TESTING or *AIR TESTED*. A method whereby a Building Sewer Lateral is pressurized with air for the purpose of detecting leaks or defects in the pipe being tested. An Air Tested Building Sewer Lateral will be deemed defective for purposes of this Chapter if it does not hold three and one-half (3.5) pounds per square inch of air pressure (psi-air) for at least two (2) minutes with at least two and one-half (2.5) psi-air remaining at end of the Air Test.

BACKFLOW PREVENTION DEVICE. Includes, but is not limited to, backwater overflow devices, backwater check valves, pressure relief devices, shutoff systems, and any other devices the City may approve for the purpose of preventing or minimizing the possibility that raw Sewage will back up into any structure or for any similar purpose.

BUILDING. Any enclosed structure having a roof and supported by columns or walls

BUILDING DRAIN. That part of the lowest piping of a building drainage system which receives the discharge from soil, waste and other drainage pipes within the building or structure and conveys it to the Building Sewer Lateral. The point of connection of the Building Drain to the Building Sewer Lateral shall be within two (2) feet of the outside of the Building Wall. A clean-out and Backflow Prevention Device shall be installed at the point of connection of the Building Drain to the Building Sewer Lateral.

BUILDING SEWER LATERAL. That part of a drainage system which extends from the end of the Building Drain and conveys discharge to a Public Sewer or other point of disposal. The Building Sewer Lateral shall terminate at the wye or other Manufactured Connection to the Public Sewer.

BUILDING WALL. The exterior component part of a structure built, erected, framed and designed for the housing, shelter, enclosure or support of persons, animals, or property of any kind.

CERTIFICATE OF COMPLIANCE. A written certificate issued to a Property Owner by the Public Works Director or his/her designee certifying that a Building Sewer Lateral is properly equipped, structurally sound and complies with all standards established by the City.

DEFECTIVE SEWER LATERAL. Any Building Sewer Lateral that displays leaks or defects upon the completion of inspection or that is deemed by the City, in its discretion, to be defective upon completion of Air Testing or any other testing method required by the City.

INSPECTION. A process whereby both a video camera and/or smoke are placed into and run through the inside of a Building Drain, Building Sewer Lateral or Public Sewer for the purpose of detecting leaks or other obvious defects.

MANUFACTURED CONNECTION. A commercially manufactured and available sewer "wye" or "tee" fitting of the proper size and material for the subject application.

DEFINITIONScont'd

PROPERTY OWNER. Any individual or entity owning property within the boundaries of the City that is connected to a Public Sewer.

PUBLIC SEWER. The sanitary sewers owned or maintained by the City lying within the limits of the public streets, roads, easements, reserves, non-exclusive easements or other public rights-of-way serving or intended to serve two (2) or more separate properties, persons, or parcels. That portion of the Building Sewer Lateral which may lie within any public street or right-of-way is not a Public Sewer in the City.

SEWAGE. Any liquid or solid waste.

SMOKE TESTING. A method through which smoke is forced through the sewer lateral waste and/or drain pipes under a slight pressure to find leaks and/or discover evidence of a Defective Sewer Lateral.

FORM: APPLICATION FOR VIDEO REVIEW



For office use only	
Application Number:	_____
Receipt Number:	_____

APPLICATION FOR
SEWER LATERAL VIDEO REVIEW

Property Address:	Date:
	Parcel Number:

PROPERTY OWNER or BUYER INFORMATION

Name:		Email:	
Address:	City:	State & Zip:	Phone:

THIS APPLICATION IS FOR: Transfer of Ownership: Property Remodel: City Request:
 Sewer Lateral
 Repair/Replacement: Rental Unit: Change of Use:

Sewer Lateral Review Fee: \$85.00	Inspection Date:
Please submit DVD or VHS.	
Contractor Information:	
Notes or Comments:	

MAILING INFORMATION (Please Print)

Name of Applicant:		Title:	
Company:		Email:	
Address:	City:	State & Zip:	Phone

To the best of my knowledge, the information submitted herewith complies with all requirements set for by the City of Pinole Municipal Code, Chapter 13.20, inclusive. I declare under penalty of perjury that all information submitted herein applies to the subject address and to no other properties.

Signature of Applicant	Date

Please bring the completed application, payment and DVD (or VHS) to the Pinole City Hall. Upon completion of video inspection review, the applicant will receive an email with a Certificate of Compliance or Repair Notice.

FORM: NOTICE OF REQUIRED INSPECTION



**PRIVATE SEWER LATERAL
NOTICE OF REQUIRED INSPECTION**

Dear Property Owner:

Notice is hereby given that the City of Pinole (the "City") requires cleaning and video inspection of building sewer laterals and a Certificate of Compliance for your property located at [INSERT ADDRESS AND APN] ("Property").

[OPTION 1] The City understands that the following event recently occurred at the Property, triggering inspection pursuant to Section 13.20.050 of the Pinole Municipal Code:
[INSERT TRIGGERING ACTIVITY]

[OPTION 2] The City understands that your property is part of a common interest development, in which several property owners share one sewer lateral. This sewer lateral is due for inspection pursuant to Section 13.20.060 of the Pinole Municipal Code.

[OPTION 3] The City understands that the sewer lateral on your property may pose a threat to the public health, safety and welfare and therefore the sewer lateral is due for inspection pursuant to Section 13.20.050 of the Pinole Municipal Code.

You must coordinate inspection and obtain a certificate of compliance from the Department of Public Works. Please take the following steps to achieve compliance: (1) hire a City-approved inspector to prepare a video inspection of the building sewer lateral; (2) submit the video of the inspection of the sewer lateral to the Department of Public Works, along with an review fee of \$ _____. If the City finds deficiencies in your sewer lateral, you will receive a Notice to Repair that explains the necessary repairs or replacements and further inspection. These steps must be completed by the _____ day of _____, 20_____.

All repair work must be completed prior to the issuance of a Certificate of Completion or a Certificate of Occupancy.

If you fail to take the above actions by the required date, the City will record a notice of violation on your property, fine you, and may also bring an enforcement action against you.

If you have questions, you may contact me at 510.724.9000.

Sincerely,

Dean Allison
Director of Public Works

2131 Pear St • Phone: (510) 724-9010 • Fax: (510) 724-4921
City Website: <http://www.ci.pinole.ca.us>

FORM: NOTICE OF REPAIR REPORT



CITY OF PINOLE

PRIVATE SEWER LATERAL DEFICIENCY REPORT

Public Work Department

Date: _____

Permit No: _____

Applicant: _____

Mailing Address: _____

Property Address Inspected: _____ APN Number: _____

Dear Property Owner:

Thank you for submitting the videotaped inspection of your sewer lateral, which was received by the City on _____, 20__. Our staff has reviewed these items and identified defects in your sewer lateral that violate the Pinole Municipal Code.

This report is to notify you that the following problem(s) was identified and corrective action, in accordance with City standards for private sanitary sewer laterals, is required.

Evidence of obstruction, structural defects, or offset joints (repair or replacement is required)

- Insufficient cleanouts at the front of building:
- Non sanitary sewer connection to sewer lateral (disconnect all non sanitary connections)
- Submitted documentation does not meet requirements for submittal
- Video submission does not meet requirements for submittal:
- Other:

You have until _____, 20__ to repair these defects. You must hire a contractor to prepare a video inspection of the building sewer lateral and submit the video of the inspection of the sewer lateral to the Department of Public Works, along with an inspection fee of \$____. If the Department of Public Works finds that your sewer lateral is free of defects, it will issue you a Certificate of Completion.

If you fail to fix the sewer lateral defects listed above, the City will record a notice of violation on your property, fine you, and may also bring an enforcement action against you and any other remedy available under law.

If you have questions regarding this report please contact me at jcastro@ci.pinole.ca.us or 510-741-2065.

Junior Castro

FORM: CERTIFICATE OF COMPLIANCE



Certificate of Compliance

City of Pinole
Public Works Department
2131 Pear St
Pinole, California 94564
(510) 724-9010

This Certificate is to notify you that the subject sewer lateral complies with Chapter 13.20 "Sanitary Sewer Laterals" of the City of Pinole Municipal Code.

Owner/Applicant: _____

Property Address: _____

Parcel No: _____

Submitted Documentation: DVD/CD/Tape

Issue Date: _____

Expiration Date: No more than ten (10) years from date Certificate was issued.

Approved By: _____ / **Title:** Public Works Inspector

Junior Castro

FORM: APPLICATION FOR DEFERRAL



CITY OF PINOLE
FOR SEWER LATERAL REPAIR OR REPLACEMENT
DEFERRAL APPLICATION (180-DAY EXTENSION)

Public Works Department

Applicant: _____
Site Address: _____
Phone Number: _____ APN # _____

Which kind of deferral are you claiming (please check one)?

- Severe illness or incapacitation of the property owner
- Immediate transfer or removal of property owner from the state, thereby making the hiring of a contractor to repair or replace the sewer lateral impractical or overly burdensome
- Any physical or financial situation that renders compliance with the time limits for the repair or replacement of the sewer lateral extraordinarily difficult or impractical.

How long is the requested deferral? (180 days maximum) _____ days.

Please provide documentation and written facts that clearly demonstrate reason for deferral:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct

In accordance with the City of Pinole Municipal Code Chapter 13.20 - Sewer Lateral, the City of Pinole hereby grants _____, the buyer, a _____-day extension from the close of escrow to bring the sewer lateral in compliance.

Approved by: _____
Junior Castro, Public Works Inspector