

BILL NO. 2032

ORDINANCE NO. 1814

AN ORDINANCE ESTABLISHING THE POLICY RELATIVE TO THE RESIDENTIAL SANITARY SEWER LATERAL AND REPAIR PROJECTS OF THE CITY OF CHESTERFIELD AS TO ELIGIBILITY, APPLICATION, REVIEW, REPAIR AND COST EXPENDITURES.

WHEREAS, the City of Chesterfield pursuant to Ordinance No. 1592 presented to the citizens of Chesterfield the opportunity to approve quarterly fees to be paid for repairs of defective lateral sewer service lines within the City of Chesterfield; and

WHEREAS, the citizens of Chesterfield having given their approval, the City has as of January 1, 2000 begun to collect funds for the lateral sewer systems; and

WHEREAS, the City has established a residential sanitary sewer lateral repair policy and procedures as approved by the Public Works and Parks Committee of the City Council; and

WHEREAS, the City Council wishes to embody such said polices and procedures and provide for the amendment thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, AS FOLLOWS:

Section 1. The City hereby adopts and approves the residential sanitary sewer lateral repair policy and procedures as contained in Exhibit "A", which is attached hereto and made a part of hereof as if fully set out herein.

Section 2. The City ratifies the polices and procedures as established by Exhibit "A" and authorizes the Public Works and Parks Committee to review and from time to time amend Exhibit "A" and a majority vote and approval by the Public Works and Parks Committee shall constitute the Residential Sanitary Sewer Lateral Repair Polices and Procedures as amended.

Section 3. This ordinance shall take effect and will be in full force and effect from and after its passage and approval.

Passed and approved this 23rd day of January, 2002.

ATTEST:

Marcia A. DeMay
CITY CLERK

[Signature]
MAYOR

City of Chesterfield

Residential Sanitary Sewer Lateral Repair Policy & Procedures

ELIGIBILITY

- A. As of January 1, 2001, the owner of a single family home, a duplex, or an apartment development containing not more than six (6) dwelling units may recover one hundred percent (100%) of the authorized costs in repairing defective lateral sewer service lines serving the property of the owner, on compliance with the City's policy and procedures.
- B. Commercial and industrial properties cannot participate in the program. Multifamily properties that contain more than six dwelling units per property are not eligible for this program.
- C. Each residential dwelling shall be assessed \$28.00 per year on their annual tax bill. Residential homes, which are delinquent in paying the tax bill, will not be allowed to participate in the program.
- D. A lateral sewer service line is a sewer line which extends from three to five (3-5) feet outside of the building foundation wall or exterior wall to the sewer main in the street or sewer easement. It does not include a sewer line located under any part of any building. A lateral sewer line may be located in a front, side, or rear yard.
- E. Septic tank lines are eligible; however, repairs to all mechanical, electrical & tank components are ineligible.

INVESTIGATION

- A. If a property owner is experiencing a problem with their lateral sewer service line, the owner must first contact a licensed plumbing company or a licensed drainlayer company to have the line cabled. (Sometimes the problem is not with the line itself, but may have become clogged by materials in the line.) As a common home maintenance expense, the cost of this cabling is not reimbursable by the City. If the problem is not resolved by cabling of the line, the owner should contact the City of Chesterfield Department of Public Works between the hours of 8:30 AM and 5:00 PM, Monday through Friday, to secure an application and instructions for reimbursement. The City reserves the right to determine if and when an emergency situation exists.
- B. If necessary, the City will arrange for the Metropolitan Sewer District (MSD) to perform a dye test. In most instances, this will disclose whether there is a break in the sanitary sewer lateral.

APPLICATION BY PROPERTY OWNER

- A. The property owner, not the tenant, must submit application for participation in the program.

- B. A deductible of \$100 shall apply to the cost of any repair undertaken in conjunction with this program.
- C. A completed application form is to be submitted to the Public Works Department by property owner with 1) \$100 deductible, 2) written documentation from a licensed plumbing company or licensed drainlayer that the line could not be opened, 3) paid tax receipt, and 4) release form from the property owner authorizing work on private property.

CITY REVIEW

- A. City verifies problem by use of video camera service company (annually contracted by City) and/or die testing.
- B. City's video service company will schedule an appointment with owner to do the camera work and will mark on the lawn the location of the line.
- C. City reviews videotape and report by video company and either accepts or denies repairs. If repairs are denied the owner is refunded the \$100 fee/deposit.
- D. Priority for repairs is based on a first come, first served basis.

REPAIR PROCEDURE

- A. The Department of Public Works shall prepare specifications and solicit bids annually to provide services under this program.
- B. Bids will be based on unit prices for an average job. The most responsive, best, and lowest bid as determined by the City, shall be awarded the contract. The successful Contractor shall pay no less than the prevailing rate of hourly wages for each craft or type of workmanship needed for the sewer lateral repair as determined by the Missouri Department of Labor and Industrial Standards.
- C. City staff will initiate repair by contacting the City's contractor, who will visit site and inform owner of any personal items in the way that must be removed at owner's expense. These items could include, playgrounds, yard decorations, flower beds, etc.
- D. This program will be used to replace sidewalks, driveways, and streets to the extent-damaged and/or removed to accomplish the repair. In the event obstacles (i.e. garage, driveway, landscaping, trees) are in the path of the lateral and lie over the damaged portion of the lateral, the city reserves the right to reroute the lateral to avoid the necessity of removing the obstacles.
- E. Typically, the repair will be limited to only the section that is broken. However, the City inspector is authorized to repair additional sewer lateral pipe if deemed logical and necessary.

- F. Contractor will be responsible to locate underground utilities and will be responsible to fix any utilities damaged during construction operations. This includes, but is not limited to, street light cables, irrigation systems, and mailboxes.
- G. Contractor will obtain permit(s) from the St. Louis County Department of Public Works, Plumbing Section.
- H. County and City personnel will be on-site to inspect work as it is performed.
- I. The responsibility of the City under this program is limited to excavation and repair of the lateral pipe and backfilling in a workmanlike manner. The top six inches of the backfill material will be topsoil. The City's sewer contractor will be held responsible for restoration of the yard to a grass or landscaped surface. Property owner will be required to water the grass and landscaping. Replacement trees will be no larger than 4" caliper.
- J. After work is accepted by the City, final payment to contractor will be made following receipt of all final lien waivers, affidavit of compliance with the prevailing wage law, and a written 3-year guarantee.

ELIGIBLE REIMBURSEMENT COSTS

The following costs are authorized for reimbursement under the program:

- A. The cost of dye testing or video of the sanitary sewer lateral to determine the location and cause of the blockage or leak.
- B. The cost of removal of any private site improvements (i.e. fences, sidewalk, driveway, trees) necessary for excavation to repair or replace the sewer.
- C. The cost of excavation and repair or replacement of the broken sanitary sewer lateral. This program does not cover excavation and repair under any structure, including the home.
- D. Site restoration is limited to re-establishment of a reasonable grade using materials on-site.
- E. The cost of restoration of any Public Street or sidewalk located on the public right-of-way.
- F. Administrative costs incurred by the City including but not limited to bidding, contract management costs, cost of materials and labor for repair to public infrastructure and other offsite work done by the City under this policy. Such costs shall include recovery of the proportional amount of salary and benefits costs incurred in administration of this program. Such costs shall be reimbursed to the General Fund of the City as miscellaneous income.

NON-ELIGIBLE COSTS

The following costs are not authorized for reimbursement under the program:

- A. The cost of interior clean-up or other damage to the interior of the home or personal property caused by sanitary sewer back-ups resulting from the failure of the sanitary sewer lateral.

- B. The cost of lost wages or income to the home occupant due to absence from work necessary to work with the City or contractors to complete the repairs necessary under the program.
- C. The initial cost of cabling or other similar methods to attempt to clear the blockage prior to repair.
- D. If it is determined that the need for such repair or replacement of the sanitary sewer lateral is determined to be the result of a natural disaster, negligence or damage during the course of other excavation or construction on the site.

FUND

- A. No individual repair shall be charged against the fund in an amount in excess of Fifteen Thousand Dollars and No Cents (\$15,000.00). Any costs in excess of this amount shall be the responsibility of the property owner.
- B. The City shall invest the money collected for this Fund until needed. Any interest earned shall be added to the Fund. The money in this fund is dedicated to and shall be used only for sewer lateral repairs.
- C. The City Council may periodically amend these guidelines in the best interests of the City and its homeowners, except as state law or the City charter may restrict them.