



THIS IS NOT THE CERTIFICATION FORM

This information sheet provides additional information about the ordinance on the inspection, repair, or replacement of sewer laterals, adopted by the Pacific Grove City Council on December 15, 2004.

Section 9.20.040 Inspections and repairs of sewer laterals

(a) Property owners shall inspect, and provide to the city a report of the results of an inspection of, the laterals on their property prepared by a licensed plumber using closed circuit television (CCTV) inspection or other inspection or test method approved by the director of public works, and if found defective, repair the lateral, as follows:

- (1) When building a new structure on property with an existing lateral, or when otherwise proposing to connect a previously unconnected structure to an existing lateral;
- (2) As a condition of approval of any major building remodel project. A major building remodel project is one that is estimated by the city to cost \$50,000.00 or more;
- (3) Prior to the close of escrow when the property is transferred via sale or other transfer of ownership by deed, instrument or writing;
- (4) Whenever the city finds that a sewage overflow emanating from a lateral has reached public property, including but not limited to a city street or the city storm drain system, or has flowed onto private property owned by another property owner;
- (5) Whenever the city finds that a sewage overflow emanating from a lateral presents a threat to public health, even if it has not flowed across a property line.

In the absence of a specific deadline, all inspection and testing work shall be completed within sixty days of notification by the city that such inspection is required. Existing laterals shall not be used if they are found to be defective by the inspection or if they fail city mandated tests or if they were constructed of materials deemed unacceptable by the director of public works.

(b) As part of its periodic construction and maintenance of sewer mains, the city may discover defective laterals. The city may order the property owner to conduct an inspection, repair or replacement of any lateral that the city knows or reasonably suspects to be defective.

(c) The lateral shall be considered defective if it has any of the following conditions: displaced joints, root intrusion, substantial deterioration of the lines, damaged clean-out, defective clean-out, inflow, infiltration of extraneous water, or other conditions likely to substantially increase the chance for a lateral blockage, or if, within a period of one year, a lateral suffers two or more blockages resulting in overflows.

(d) Whenever defective laterals are found, the property owner, at the sole expense of the property owner, shall repair or replace the lateral. The director of public works shall determine the extent of repair required, and more limited repair than complete replacement of the lateral may be permitted at the sole discretion of the director of public works. The following requirements shall be met.

- (1) A replaced or repaired lateral shall not be covered or backfilled until it has been inspected by a representative of the city.
- (2) All new and repaired laterals must pass an air pressure test as specified by the director of public works.
- (3) All repaired or replaced laterals shall be brought into compliance with the requirements of Section 9.20.030 (d). Overflow devices must be installed on all repaired or replaced laterals, and backflow valves may be required to be installed on laterals meeting the criteria of Section 9.20.030 (e).

(e) In the absence of a specific deadline established by the director of public works, all repair or replacement work shall be completed within sixty days of notification by the city that such repair or replacement is required.

(f) When a lateral is completely replaced, the property owner is not required to inspect the lateral upon sale of the property for ten years following the date of complete replacement of the lateral.

(g) Roots, grease, or other material which have accumulated in a lateral cleaned or maintained shall be prevented from entering the sewer main during the maintenance or repair of the lateral. In the event that material is permitted to enter the main causing or contributing to the cause of a sewage spill, the property owner and/or contractor performing such maintenance work, in addition to any criminal penalties imposed, shall be held civilly liable to the city for any fines or other expenses incurred by the city resulting from the spill.

(h) The city shall have the authority to recover from a property owner the city's expenses incurred in responding to sewer overflows on private property. In addition to any actual expenses incurred by the city resulting from an overflow, the city may impose civil administrative penalties against a property owner who fails to perform any act required in this section, which failure results in an overflow reaching public or private property other than the property owner's property, according to the following schedule:

- (1) Up to \$500.00 for the first violation.
- (2) Up to \$1,000.00 for a second violation occurring within three years after the first violation.

(3) Up to \$2,500.00 for each additional violation within a three-year period exceeding two violations.

(i) The city manager shall have the authority to establish, waive, suspend or otherwise modify any civil administrative penalty imposed by this section that exceeds the direct costs of the city upon a showing by the property owner of severe financial hardship, or upon a showing that the property owner has satisfactorily repaired the lateral to a degree sufficient to ensure avoidance of further violations.

Section 9.20.040 of the Municipal Code is available on the internet at: <http://www.ci.pacific-grove.ca.us>

STEPS TO FULFILL THIS REQUIREMENT:

1. Complete *Sewer Lateral Inspection and Repair Certification Form*
2. Thoroughly read Chapter 9.20 of Pacific Grove Municipal Code
3. Conduct recorded inspection (VHS or digital format), which must have a segment showing the property identification by videoing the building, address, significant building feature, or identifiable features of the surroundings prior to inserting the camera into the lateral and then continue filming to the lateral to connection with the sewer main. Recorded inspection is deemed complete when the camera is retrieved while still recording and shows the same address/features at the beginning of the recordation.
4. Submit completed and signed *Sewer Lateral Inspection and Repair Certification Form*, sign, and submit with recorded inspection to the Community Development Department

FREQUENTLY ASKED QUESTIONS:

Q: Who is an authorized representative?

A: Anyone authorized through written contract for buyer and seller may be an authorized representative

Q: When must the form and recording be submitted?

A: The certification form and recording must be submitted to the City prior to close of escrow.

Q: How long will it take for the City of Pacific Grove to make a determination on certification?

A: It may take up to ten (10) working days for the City to make a determination on the sewer lateral inspection and repair certification. Therefore, it is recommended the form and footage be submitted as soon as possible after the property has been listed or offered for sale.

Q: How will the property owner be contacted about the City's determination?

A: The City will make a determination based on the video and form submitted. The owner and/or the authorized representative will be contacted via mail.

Q: Is this a condition of sale?

A: No. However, the property owner is required by law to conduct the inspection process. Failure to comply may result in civil or criminal prosecution.

Q: What if the City determines that a sewer lateral replacement is necessary?

A: The property owner will have up to sixty (60) days to replace the sewer lateral from the date of notification by the City. Extraordinary circumstances requiring additional time to complete the work must be approved by the City.

Q: What are condominiums and townhomes required to videotape?

A: Condominiums and townhomes are required to video out to the city main, not just the condo private main.