

Sanitary Sewer Backup Policy

December 1, 2020

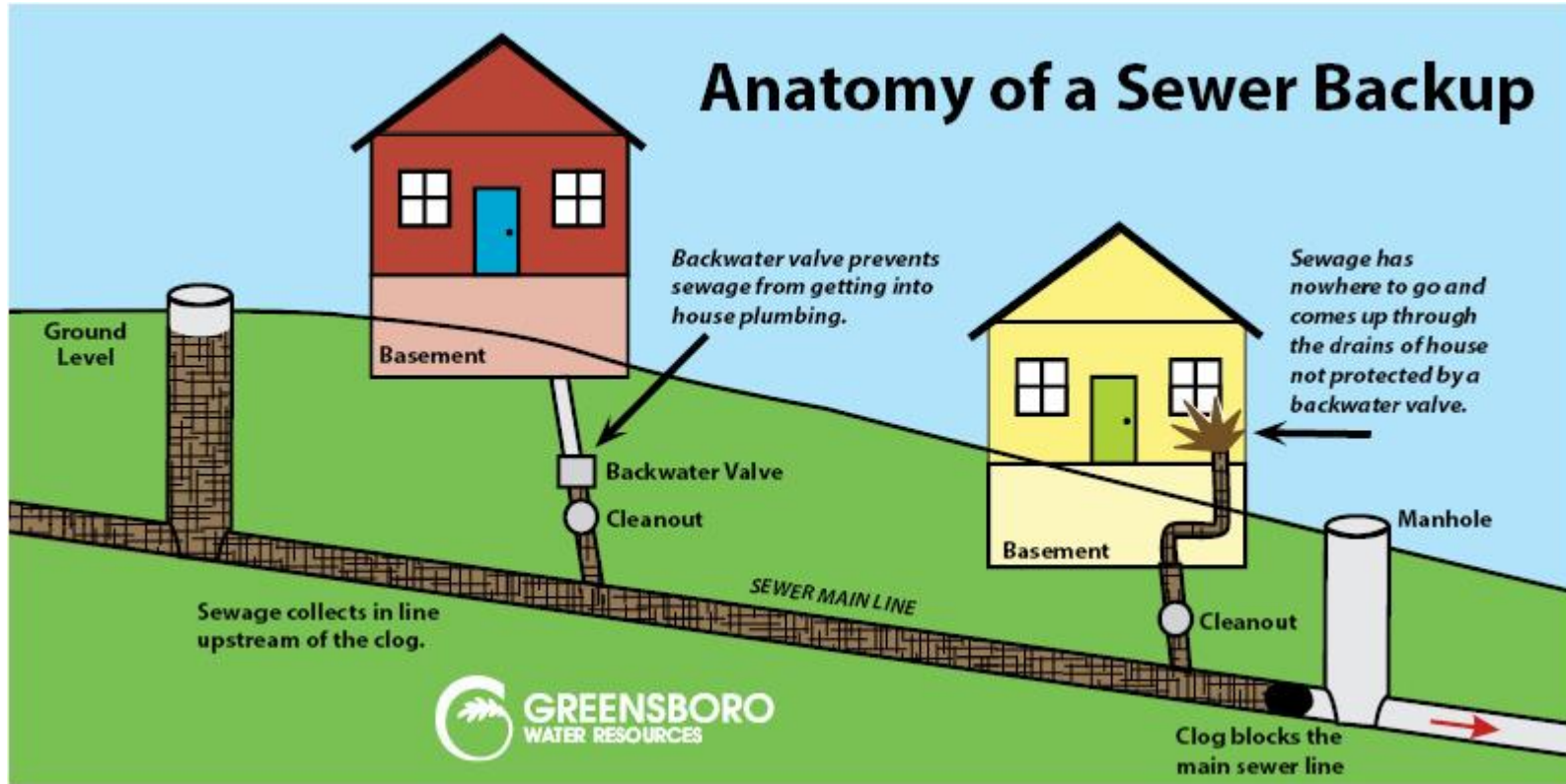
Water Resources Department



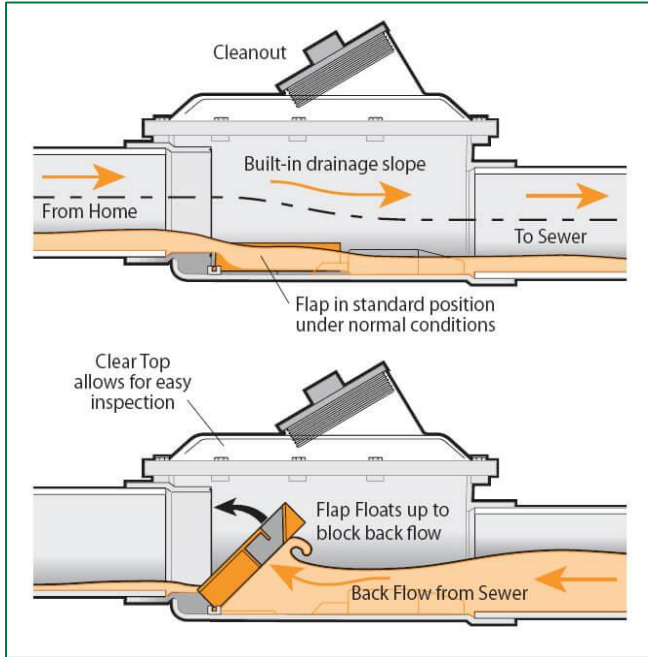
Anatomy of a Sewer Backup

- Most sewer backup events occur because of grease or roots that accumulate in the service line that collects the sewer from a building or residence
- Occasionally, the event can be triggered by the main sewer line becoming obstructed allowing water to flow back into a service line
- In rare instances, the city's cleaning activities may cause a sewer backup event

Anatomy of a Sewer Backup



Backwater Valve



Where are We Now?

- Most property owners do not realize they need a backwater valve until they experience a mainline backflow
- We currently lack a policy that would provide consistent claims management
- Currently, the city should pay claims only when the city is legally liable

When is the City Negligent / Liable?

- Ward v. Charlotte
 - Relatively new (several years) home; plumber's twine clogged mainline
 - Court ruled that City is liable only when it knew or should have known
 - Some factual basis to indicate an issue with the flow or caused the issue
 - City is not omnipotent and cannot see through streets, dirt, and pipes

Preventative Measures

- Collection System Inspections – about 15% of the system checked each year (1,446 miles maintained by city)
 - Collection System NPDES permit requirement
 - Visual, Acoustic, and CCTV
 - Sanitary Sewer Evaluation Survey (SSES)
- Recurring System PM's on Siphons, Lift Stations, Aerial Lines, etc.
- Ongoing Sewer Rehabilitation Efforts

Why Help if Not Legally Liable?

- Property Owners discover the need for a backwater valve only when a sewer backup has occurred
- Provide financial assistance to those properties that do not have a backwater valve or insurance coverage
- Inform the public through customer service initiative
- Provide more consistent internal and external management of sewer backup claims

The Proposed Policy

If the City was not negligent in contributing to the backup:

1. Sewer main blockage caused the backup - not a blockage in the property's service line.
2. This is the first sewer backup at this address.
3. The property does not already have a backwater valve installed.
4. Property owner releases and waives all claims and agrees to install and maintain a backwater valve.
5. If the property is insured, the City may pay up to \$1,000 towards the deductible.
6. If the property is not insured, the City may reimburse up to \$15,000 to clean and remediate the property.
7. If the occupant is not insured, the City may reimburse up to \$5000 for the actual cash value (ACV) of the personal property directly damaged and for temporary housing.

The Policy in Practice

1. Property Owner experiences a backup and calls plumber or City Contact Center.
2. Water Resources Staff and/or plumber responds and provides copy of SSBP to owner.
3. Water Resources staff provides owner with adjuster's contact information and provides adjuster with same regarding the owner.
4. Owner / Tenant contacts water damage restoration contractor and initiates cleanup – provides estimates to adjuster.
5. Owner / Tenant contacts insurance company to determine if coverage is available – provides copy of policy to adjuster to confirm if no insurance is available.
6. Owner / Tenant documents damaged personal property.
7. Owner / Tenant arranges temporary housing if necessary – reimbursed out of personal property damage amount.
8. Owner / Tenant executes release of claims and agrees to install backwater valve.
9. Owner / Tenant is paid damages as adjusted and approved by City's adjuster.

Policy Implementation and Assistance

- Proposed effective date of January 1, 2021
- Educate staff and claims adjuster on purpose and application of policy
- Adherence to the policy limits on all claims
- Educate the public on the need for backwater valves

Customer Outreach / Communications

- Press release to all local media outlets
- Mail / email policy brochure with water bills
 - At Your Service Insert
- City website posting
- Contact Center link
- Copies for staff to hand out in the field
- Plumbers letter