

13.08.395 Private sewer laterals.

A. *Purpose.* Inflow and infiltration (I/I) is a serious problem for the city in that during wet weather events, a significant amount of water is introduced into the city's wastewater collection system from breaches in the public and private sewer pipeline system. Studies have shown that private sewer laterals are a significant source of I/I for the city. The city has determined that it is in the interest of the public's health, safety, and welfare to address I/I contributed by private sewer laterals and, as such, it is a city priority to require the inspection of private sewer laterals.

B. *Ownership, Maintenance, and Repair.*

1. The entire lateral, from the building connection up to and including the "wye" connection or other tie-in to the city-owned sewer main, shall fall within the owner's responsibility for installation, maintenance, repair, and replacement.
2. Each property owner shall be responsible for maintenance and repair of their private sewer lateral in compliance with this section in a safe and sanitary condition, including:
 - a. Private sewer laterals shall be free of displaced joints, breaks, offsets, structural defects, damage, open joints, missing portions of pipe, root intrusion, cracks, leaks, 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. Private sewer laterals shall be equipped with cleanouts.
 - c. Private sewer laterals shall not be constructed, either in whole or in part, of "Orangeburg pipe."
 - d. As described in Section [13.08.030\(A\)](#), it is unlawful for any individual to connect the following to a private sewer lateral: storm drains, roof drains, yard drains, surface or subsurface drainage, groundwater, or other non-sewage pipes or drains.
3. If a property owner fails to maintain the abovementioned wastewater facilities in a safe and sanitary condition, the director may order and require termination of water service to the parcel and all structures connected to the sewer outlet subject to these conditions. The water service shall not be reinstated until the maintenance or installation of appropriate wastewater disposal facilities has been approved by the director.

C. *Inspection of Existing Private Sewer Laterals.*

1. Except as set forth in subsection [\(C\)\(2\)](#) of this section, after January 1, 2020, all private sewer laterals connected to the city's sewer system shall be inspected per subsection [F](#) of this section at the property owner's sole expense, when any of the following events occur:
 - a. Whenever the city has issued a notice of violation following a sanitary sewer overflow event from a property's private sewer lateral.

- b. Upon submittal of a building permit for the addition of a bedroom, bathroom, or kitchen in a residential structure or the addition of nonresidential space or an additional plumbing fixture unit in nonresidential structures.
 - c. A change of the use of the structure from: (i) residential to nonresidential use; (ii) to a nonresidential use that will result in a higher flow than the previous nonresidential use; or (iii) to a nonresidential use where the structure served has been vacant or unoccupied for more than three years.
 - d. Increase in size of the domestic water meter serving the property or adding a new domestic water meter.
 - e. Whenever property located in the city and containing one or more structures which are served by a private sewer lateral or laterals is subdivided. The inspection shall occur prior to recordation of the final map.
 - f. Within thirty days of notification by the city that “smoke testing” or closed-circuit television (CCTV) sewer main inspection indicates the presence of inflow or infiltration from private property that impacts the operation of the public wastewater collection system.
 - g. Upon any change in ownership of real property within the city, which shall be implemented as follows:
 - i. “Change in ownership” shall have the meaning set forth in Revenue and Taxation Code Sections [60](#) and [61](#). A change in ownership shall not include those transactions as set forth in Revenue and Taxation Code Section [62](#).
 - ii. Before close of escrow for any change in ownership of real property within the city, the seller(s) of such property shall disclose to the buyer(s) the results of the private sewer lateral inspection as set forth in subsection [F](#) of this section.
 - h. For events identified in subsections [\(C\)\(1\)\(a\)](#) through [\(C\)\(1\)\(f\)](#) of this section, repair or replacement shall be made pursuant to subsection [G](#) of this section.
2. *Exceptions.* An inspection required pursuant to subsection [\(C\)\(1\)](#) of this section shall not be required in the following circumstances:
- a. *New Construction or Prior Replacement of Lateral.* If the owner(s) (or the owner’s predecessor-in-interest) has originally installed or has replaced the private sewer lateral within the twenty years prior to the date the inspection would otherwise be required.
 - b. *Prior Inspection of a Lateral.* If the owner(s) (or the owner’s predecessor-in-interest) has completed an inspection of the sewer lateral in accordance with the inspection requirements of subsection [F](#) of this section within the past five years.
 - c. The private sewer lateral is located within a common interest development which is regulated under subsection [D](#) of this section and serves more than two separate units or properties within the common interest development.

The owner shall bear the burden of proving that the inspection requirements of subsection [\(C\)\(1\)](#) of this section do not apply. The owner shall provide proof of any prior replacement, inspection or repair of a private sewer lateral in the form of a validly issued permit or other documentation that ensures such prior replacement, repair or inspection of a private sewer lateral occurred pursuant to the exceptions above. The form and content of the document or proof must be deemed sufficient by the city's utilities director.

D. *Private Sewer Laterals within Common Interest Developments.*

1. For purposes of this section, the term "common interest development" shall include any community apartment project, condominium project, planned development, or stock cooperative.
2. Private sewer laterals located within a common interest development shall be inspected pursuant to the requirements of subsection [F](#) of this section as follows:
 - a. By January 1, 2030, and once every twenty years thereafter.
 - b. Whenever the city has issued a notice of violation following a sanitary sewer overflow event from a common interest development's private sewer lateral.
 - c. Increase in size of the water meter serving the common interest development.
3. *Exceptions.* An inspection required pursuant to subsection [\(D\)\(1\)](#) of this section shall not be required in the following circumstances:
 - a. *Prior Replacement of Lateral.* If the private sewer lateral serving the common interest development in its entirety was installed or replaced within the twenty years prior to the date the inspection would otherwise be required.
 - b. *Prior Inspection or Repair of a Lateral.* If the private sewer lateral serving the common interest development in its entirety was inspected in accordance with the inspection requirements of subsection [F](#) of this section within the five years prior to the date the inspection would otherwise be required.

E. *Inspection of Shared Private Sewer Laterals.* Each property owner served by a shared private sewer lateral shall be responsible for compliance with subsection [B](#) of this section and shall be subject to the inspection requirements identified in subsection [C](#) of this section. For purposes of this subsection E, a "shared private sewer lateral" shall mean laterals serving more than one property that are not part of a common interest development.

F. *Inspection Requirements.*

1. Property owners must submit documentation of the sewer lateral inspection to the city prior to the close of escrow. Testing may be accomplished by either a water ex-filtration test, an air test, or closed-circuit video recording observation. Installation of cleanouts and removal of existing P-traps may be necessary to accomplish the video inspection. If a closed-circuit video recording observation is selected as the method of inspection, then the video shall meet the following requirements:
 - a. Shall be in digital format.

- b. Shall be in color (black and white or otherwise unclear video will not be accepted).
 - c. Shall show the address of the lateral.
 - d. Shall show the date the video was taken.
 - e. Shall inspect the entire lateral from the house connection to the city-owned sewer main.
 - f. Shall have a running foot or time marker clearly visible on the screen.
 - g. Where joints are present, shall briefly stop the camera at each to clearly indicate their integrity.
 - h. Shall have the telephone number for the point of contact for the company providing the inspection.
 - i. A map shall be provided with the video inspection to clearly show the lateral location including the cleanout or access point at the house connection used to insert the camera into the lateral and the wye connection to the city-owned sewer main.
2. The lateral inspection and lateral inspection report shall be prepared and signed by a licensed plumber or contractor with a current state license who shall declare that the report is true and correct. At a minimum, the inspection report shall include the information in Exhibit A:

EXHIBIT A: PRIVATE SEWER LATERAL INSPECTION REPORT	
Property Address (or Addresses): _____	
Inspection Date: _____	Inspection Method: _____
Company Name/Point of Contact: _____	
Phone Number/Email Address: _____	
Lateral Length (in feet): _____	Lateral Material: _____
Installation date (if known): _____	Lateral Age: _____
Describe deficiencies (if any): _____	
Plumber/Contractor Signature: _____	
License # of Plumber/Contractor: _____	
Property Owner Signature: _____	
Property Owner interest in participating in city Wastewater Flow Offset Program: *	YES NO
<i>* If Property Owner indicates "Yes", city would include address on eligibility list for Wastewater Flow Offset Mitigation requirement.</i>	

3. A licensed plumber or contractor who prepares a false lateral inspection report shall be subject to punishment under Article XII of this chapter in addition to any other legal remedies or punishment provided by law.

4. *Verification.* The city reserves the right to verify the sewer lateral inspection results prior to being accepted.

G. *Sewer Lateral Repair or Replacement Requirements.* Upon receipt of the private sewer lateral inspection report pursuant to this chapter, within seven business days, the city shall review the private sewer lateral inspection and lateral inspection report to verify the plumber/contractor findings and provide the owner with a determination on whether the lateral meets the criteria described in subsection [B](#) of this section. If the private sewer lateral is not in compliance with subsection [B](#) of this section, then it shall be repaired or replaced to conform to such standards.

H. *Punishment for Violation of this Chapter.* Failure to comply with the requirements of this article shall be punishable pursuant to the remedies identified in Article XII of this chapter. No building permits or other discretionary approvals shall be issued for a property with a private sewer lateral that is determined to be not in compliance with subsection [B](#) of this section until the private sewer lateral is brought into compliance with city standards.

I. *Rebate Programs.* The city may establish by resolution one or more programs to assist owners with the replacement of private sewer laterals.

J. *Fees.* The city council may from time to time establish, by resolution, fees for issuing permits, reviewing inspection reports and other activities of the city performed pursuant to this chapter. (Ord. 1665 § 3 (part), 2019)

The San Luis Obispo Municipal Code is current through Ordinance 1667, passed September 17, 2019.

Disclaimer: The City Clerk's Office has the official version of the San Luis Obispo Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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