

# **My Property and The City of McMinnville's Private Sewer Lateral Replacement Program**

(A Guide For Property Owners in a Question and Answer Format)

## **WHAT IS A PRIVATE SEWER LATERAL?**

A private sewer lateral is the section of underground pipe that connects the sewage system in a house or building (the wastewater plumbing) to the City owned and maintained sanitary sewer collection system (sewer system) in streets or easements. As the name implies, the private sewer lateral is a pipe that is owned and maintained by the private property owner. It is outside the City's right-of-way or public easement. The private sewer lateral is the responsibility of the homeowner to maintain and repair, just as the roof on a house is the homeowner's responsibility to maintain and repair.

## **WHY WAS MY PRIVATE SEWER LATERAL EVALUATED BY THE CITY?**

The City has been directed by EPA and the Oregon Department of Environmental Quality (DEQ) to control the overflow of untreated sewage into the Yamhill River which occurs frequently during the rainy season. The City has hired experts on this subject who have monitored and analyzed our system in order to understand the cause of the problem. They have determined that the City has a sewage system that is, in some areas, severely deteriorated. Structural defects in sewer pipes and manholes, primarily old pipes and manholes, allow unwanted stormwater Infiltration and Inflow (I&I) to overload the sewage system. When the underground sewer pipes are overloaded with unwanted I&I, some of the sewage, diluted by I&I, overflows into the river without treatment. This is harmful for the environment and the City gets fined. When the I&I does not cause the system to overflow, the City is forced to treat this extra flow that is mixed in with the sanitary sewage at the City's Water Reclamation Facility. To stop these events and control the overflows, these defective pipes must be repaired or replaced to eliminate the source of the I&I.

Our experts estimate that approximately 60% of McMinnville's I&I comes from private sewer laterals. Private sewer lateral I&I can come from old, broken, or porous pipe materials which allow groundwater to infiltrate. I&I also comes from rainwater inflow from things like roof downspouts, basement drains, or area drains that are connected to the private sewer lateral. The City cannot ignore such a significant part of McMinnville's overflow problem. Defective private sewer laterals need to be replaced or we will never meet our overflow control objective.

The City is primarily enforcing the private sewer lateral replacement program in the areas of town where the City's pipes are repaired and/or replaced first. Properties will not be randomly selected for evaluation. The properties evaluated will usually be part of a comprehensive pipeline repair project in a specific area of McMinnville but there will be some exceptions such as when a significant defect outside of a project area is brought to our attention. The City will continue this program, moving from one area to another, for the next 10 to 20 years. The parts of McMinnville that have the most significant overflow problems are the areas that will be addressed first.

## HOW DO I REPLACE MY LATERAL? WHO DO I HIRE TO DO THIS WORK? WHO PAYS?

The McMinnville City Council has adopted a policy whereby property owners in McMinnville are responsible for replacing their private sewer lateral if it is defective and contributing to the sewage overflow problem. The cost to replace a defective private sewer lateral is borne by the property owner.

Those property owners that choose to replace their private sewer lateral, and avoid the monthly penalty assessment, will need to obtain a permit for this work from the City. Installation of a new, or replacement of an existing private sewer lateral has always required a permit from the City. With the permit comes a number of requirements as follows:

1. Pay the permit fee. The permit fee can increase depending on the scope of the work. The exact fee will be determined when the application for permit is made based on the number of feet of pipe to be replaced. The applicant should determine how many feet of pipe need to be replaced prior to making the permit application.
2. The work must comply with the requirements of the current plumbing code.
3. The work must be done by either the property owner, or a licensed contractor.
4. The new pipeline must be inspected by the City before it is covered with soil.

For more information on the permitting and inspection process, please visit the City's Building Department website:

<https://www.mcminnvilleoregon.gov/building>



The City strongly recommends that property owners use a licensed contractor to do this work. There are a number of qualified contractors in the local area, many more are located in the Portland and Salem areas. One way to locate a contractor is searching the internet or yellow pages for "Contractors - General" or "Excavating Contractors". The City also keeps a list of local contractors. Another way to find a good contractor is talk to friends or family to find one that they would recommend. The City will not recommend specific contractors.

If you use a contractor, the City recommends that you consider the following points:

1. **Get at least three estimates.** It is OK to shop around. Price quotes from contractors may vary. If possible, give each contractor a copy of the City's letter describing your defective lateral condition so they each have the same information about your property. The lowest price is not always the best contractor. Select the contractor that you think will give you the best product at the best price. Usually contractors provide estimates at no charge.
2. **Get written estimates.** Make sure you have a firm price in hand, with a detailed description of the work, before you sign an agreement for construction. Make sure restoration of your property to its original condition is part of their work. Make sure the contractor commits to a time frame in the written agreement. Remember that the City's 10% reimbursement is tied to a fixed time. Make sure your contractor meets that time frame.
3. **Ask for references.** As with any purchase you make, especially one this significant, do everything you can up front to make sure you are making the best choice.
4. **Be satisfied with the results, or don't pay.** The property owner has some control over the performance of the contractor. For example, if you are not satisfied with their work, in particular restoration of your property, don't pay them until the work meets the

conditions of your agreement. We strongly recommend that you do not pay them until the City's inspector accepts the permitted work by signing off on the permit.

### **HOW MUCH WILL IT COST TO COMPLY WITH THIS PROGRAM?**

A typical private sewer lateral replacement will cost somewhere in the range of \$3,000 to \$8,000. The costs can increase significantly depending on length of pipe, depth of pipe, obstructions to the contractor such as extensive landscaping, driveways, or structures built over the lateral and many other factors. Some contractors have "no-dig" equipment available to them that would allow them to do the work without digging up your property. The "no-dig" techniques usually cost more.



Property owners that choose to not replace their defective private sewer lateral are faced with paying a \$100 per month penalty per Equivalent Dwelling Unit (EDU) until the lateral is replaced. Property owners that choose to not replace their defective lateral, and also not pay the \$100 per EDU per month assessments, will be subject to further civil penalties, and possible legal action, as allowed by City Ordinance. The cost of not complying can become significant for both the property owner and the City.

### **CAN THE COLLECTION OF PENALTY ASSESSMENTS BE SUSPENDED?**

The McMinnville City Council has adopted a penalty program of \$100 per month per EDU to be assessed against those property owners that choose not to replace their defective private sewer laterals at all, or choose not to replace their defective private sewer laterals within a **180** calendar day grace period. The penalty is in addition to the normal monthly sewer bill. The penalty assessments do not begin until after the grace period. It is important to note that property owners who replace their private sewer laterals during the grace period not only avoid the penalty assessment, they also are eligible for a 10% rebate of their cost from the City up to a maximum of \$500 per EDU.

At the conclusion of the grace period, the City will suspend collection of penalties for up to **12** months to allow the property owners time to complete the work. Repairs made during or after the suspension period are not eligible for the grace period rebate program. Penalties continue to accrue during the suspension period and the penalty is due in full at the end of the period if the repairs are not made. If the lateral is replaced and accepted by the City before the end of the suspension period, the penalty is waived.

### **IF I REPLACE MY LATERAL WITHIN THE 180 DAY GRACE PERIOD, HOW DO I GET THE 10% INCENTIVE PAYMENT FROM THE CITY?**

The McMinnville City Council has made available a monetary incentive that is part of the private sewer lateral replacement program. Those property owners that take advantage of the City's incentive offer will be reimbursed 10% of their construction cost up to a maximum of \$500 per EDU. To be eligible, property owners must construct an acceptable lateral replacement within the **180** day grace period (refer to section above for information on how to construct). Property owners must submit a Lateral Reimburse Request form for reimbursement.

This application shall be made within **60** days of the City Building Division's acceptance of the new private sewer lateral. The City will issue you a check for the eligible amount after

the request has been reviewed and processed. Typically this will be about three or four weeks from the receipt of the application. Reference MMC 13.07.110

### **WILL THE CITY PROVIDE FINANCIAL ASSISTANCE FOR THE REPAIR COST?**

The McMinnville City Council has made a program available to property owners who may have trouble finding financial assistance through banks or other lending agencies. This program is only available to homeowners who accept responsibility for the repair of their private sewer lateral and requires the property owner to sign a contract with the City for installment payments on the following basis:



1. The property owner shall select a licensed contractor to complete the required work and provide the City with a cost estimate of the work to be completed (refer to the information above about who to hire).
2. Prior to authorizing the contractor to proceed with the work, the property owner shall meet with the City Finance Director and sign an application and agreement to pay the repair costs based on the estimate plus 25%. The application for installment payments shall be on the prescribed form and shall constitute a lien upon the property.
3. The application shall provide for a monthly payment for a period not to exceed **24** months. Interest shall accrue on the balance due at the prime interest rate plus 3.5%.
4. At the time of completion and inspection of the repair work the property owner will submit to the City a detailed invoice breaking down the cost of the work and the total repair cost for review and approval before payment is made.
5. Once accepted, the City will issue a check jointly to both the property owner and contractor based on the actual billing submitted to the owner by the contractor. The monthly installment payment will be adjusted to reflect the actual repair cost. If repairs are made within the **180** day grace period, the monthly payment amount will be reduced to reflect any monetary incentive that applies to the property. A copy of the final loan amortization schedule will be provided to the property owner at the time the joint check is issued.

It is important to note that this is not a “low interest” loan. The City’s private sewer lateral financial assistance program is provided primarily for individuals who may have trouble securing a loan from other sources. Most property owners will be able to find better interest rates and repayment periods from banks or lending agencies. The City strongly recommends that property owners evaluate other financing options before selecting the City’s private sewer lateral financial assistance program.

### **IF I HAVE A BASEMENT SHOULD I BE CONCERNED ABOUT THIS WORK?**

Yes. In older homes with basements it is not uncommon for the foundation drainage system to be connected to the private sewer lateral. Foundation drainage is a source of I&I and needs to be disconnected from the private sewer lateral. Our inspectors will be looking for foundation drain connections during inspections to make sure they are disconnected from the private sewer lateral when the lateral is replaced.

Property owners with basements will need to address their basement drainage systems when the private sewer lateral is replaced. This may require a second pipeline (a storm drainage lateral) out to the street to connect to the City’s storm drainage system or it may

require the installation of a basement pumping system with a discharge into the street at the curb. Unfortunately, the construction costs for homeowners with basements will generally be higher because the private sewer laterals are often deeper than a normal lateral and because of the possible need to address basement foundation drainage.

It is possible that some homes with basements that do not have water seepage problems now will discover water in their basements after the City completes the pipeline repairs in the street and/or after property owners repair their private sewer laterals. Other cities who have completed comprehensive sewer repair programs like McMinnville's found that some of the old defective pipes kept groundwater levels low because the old pipe was porous and allowed ground water to drain in. Once defective leaking pipes are replaced with new tight pipe there is a risk that groundwater levels will rise and seep into basements. Correction of a basement leaking problem, should it occur, will be the responsibility of property owners.

### **DO I NEED TO DISCONNECT MY ROOF DOWNSPOUTS?**

One of the private sewer lateral defects the City will be looking for during the evaluation is the connection of roof downspouts (also known as rain leaders). Similar to the need to disconnect basement foundation drains, roof downspouts also introduce unwanted I&I and they must be disconnected. If downspout connections were identified during the City's inspection, it will be noted in the defect notice to the property owner.

The disconnection of roof downspouts is a very simple process; basically the downspout needs to be separated from the buried pipe it feeds into. The old pipe needs to be sealed or removed, and a splash block should be placed under the end of the pipe to allow the rainwater to flow onto the ground without eroding the soil under the downspout. The splash block should deflect the rainwater away from the structure to the City's approval. Those property owners that do not want to deal with the additional water on their lawn or property should install a pipe that will carry the rainwater from the downspout to the street curb or to any area on their own property that will not be impacted by the additional rainwater runoff. Be very careful that rainwater runoff does not impact an adjoining property. Most of the contractors that do private sewer lateral replacement work will also be able to help with downspout disconnections and/or rerouting of rainwater runoff.

### **WHO DO I CALL FOR MORE INFORMATION?**

The City of McMinnville's engineering staff are prepared to answer any questions you have about this program. Their number is 434-7312.

