



Chapter 10.13 INSPECTION, REPAIR AND REPLACEMENT OF PRIVATE SEWER LATERALS

10.13.010 Purposes.

The purposes of this chapter are as follows:

- A. To provide for operation and maintenance of the city’s sewer system in a reliable and serviceable condition;
- B. To eliminate or minimize sanitary sewer overflows by eliminating or minimizing stoppages and reducing sources of inflow and infiltration into the city’s sewer system;
- C. To comply with applicable legal requirements pertaining to the city’s sewer system; and
- D. To protect the public health and safety by establishing and providing a mechanism for inspection, repair, and replacement of private sewer laterals constructed before 1960. (Ord. 1822 § 1, 2014)

10.13.020 Definitions.

- A. Unless otherwise defined within subsection B of this section, terms used in this chapter shall have the same meaning as those terms defined in Section 10.12.030 of the San Bruno Municipal Code.
- B. As used in this chapter, the following words, phrases, and terms shall have the following definitions.
 - 1. “Sanitary sewer lateral” or “private sewer lateral” means that part of a drainage system which extends from the end of the building drain and conveys discharge to a public sewer or other point of disposal. The sanitary sewer lateral shall terminate at the wye or other manufactured connection to the public sewer.
 - 2. “Certificate of compliance” means a written certificate issued to a property owner by the public services director or designee certifying that a sanitary sewer lateral is properly equipped, structurally sound and complies with all standards of this chapter and any other applicable standards established by the city and applicable state law.
 - 3. “Defective sewer lateral” means a sanitary sewer lateral that displays leaks or defects upon the completion of inspection or that is deemed by the city, in its discretion, to be defective upon completion of any other testing method required by the city.
 - 4. “Property owner” means any individual or entity owning property within the boundaries of the city that is connected to a public sewer. (Ord. 1822 § 1, 2014)



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10.13.030 Inspection and correction upon sale.

- A. Except as provided in subsection C of this section, before a residential property originally constructed fifty years or more from the date of recordation of the deed transferring the property is to be transferred to, or vested in any other person or entity, the property owner must, at his or her own expense, conduct an inspection of the sanitary sewer lateral as required by this chapter. Any subsequent repair or replacement work deemed necessary as a result of that inspection shall be completed and approved by the city prior to issuance of a certificate of compliance and transfer of title.
- B. For the residential properties identified in subsection A, the property owner shall, at his or her own expense, perform the following:
 - 1. Conduct a video inspection of the pipe in accordance with standards established by the city and make such video available to the city for review.
 - 2. If the city's review of the video determines that the pipe is defective, the property owner shall repair or replace the pipe to the satisfaction of the city in accordance with all city standards, prior to transfer of such property.
 - 3. Upon completion of the work in accordance with subsection (B)(2) of this section, the city shall issue a certificate of compliance.
- C. Exceptions. This section shall not apply:
 - 1. To condominium or cooperative apartment buildings or the units within those buildings, except as a condition to conversion to a condominium or cooperative apartment building;
 - 2. To properties that share a sanitary sewer lateral with another property;
 - 3. To property transfers that do not involve the payment of a county transfer tax;
 - 4. To properties for five years after issuance of a certificate of compliance by this city under this chapter;
 - 5. To properties for five years after acceptance of a test pursuant to this chapter, if partial or no repairs of the lateral were required and any repairs were completed pursuant to permit and inspection by the city;
 - 6. For five years after inspection and approval by the city of completed alterations to the lateral, if alterations pursuant to a city permit were made to the location of or connections to the lateral following a test pursuant to this section;



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7. To properties for twenty years after city acceptance of construction work, provided that replacement of the complete sewer lateral was performed and accepted. (Ord. 1822 § 1, 2014)

10.13.040 Time extension certificate.

- A. Notwithstanding Section 10.13.030, the requirement to obtain a certificate of compliance prior to transfer of title in no way affects the legality of the transfer of title of the underlying property transaction. If a certificate of compliance cannot be obtained prior to title transfer, the property owner may request to the public services director, in writing, for a time extension (time extension certificate) of up to one hundred eighty days in which to perform the inspection, and/or repairs or replacement required by this chapter.
- B. The time extension certificate request shall be submitted to the city with the required fee established by the San Bruno master fee schedule.
- C. As a condition of issuance of a time extension certificate, funds in the amount of seven thousand five hundred dollars are to be posted into an escrow account. Notwithstanding the escrow deposit, property owners are responsible for the full cost of sanitary sewer lateral compliance with city ordinance requirements, which may exceed the seven thousand five hundred dollar escrow deposit. Once the sanitary sewer lateral passes the required inspection and a certificate of compliance is issued by the city, funds will be released in accordance with escrow instructions.
- D. In the event that the work required by this chapter is not completed within one hundred eighty days of issuance of the time extension certificate, or the work does not meet the conditions required by this chapter, the escrow funds may be forfeited following a hearing, as appropriate, and the current property owner will be responsible for compliance with the requirements of this chapter. The city will take possession of the forfeited escrow funds and the current property owner must affirmatively demonstrate that sewer lateral complies with this chapter prior to requesting that the city consider release of the forfeited funds, less the city's costs, which may include costs of abatement. After close of escrow, the current property owner shall be responsible for all costs associated with compliance of this chapter. (Ord. 1822 § 1, 2014)

10.13.050 Notices to correct violations.

If the public services director receives notice that a sanitary sewer lateral does not or may not meet the standards set forth in this chapter and the property owner does not agree in writing to perform the repairs or replacements necessary to bring the building sewer



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lateral into compliance, then the public services director shall give written notice of violation to the property owner of any conditions that violate this chapter. Such notice shall be provided using first class U.S. mail and shall specify the repair or replacement necessary to correct the condition and the time in which to make the correction, and shall advise the property owner of the enforcement provisions of this chapter. (Ord. 1822 § 1, 2014)

10.13.060 Regulations to implement this chapter.

The city manager or designee is authorized to and may establish rules, regulations, guidelines, and policies for implementing this chapter. (Ord. 1822 § 1, 2014)

10.13.070 Nuisance.

Any sanitary sewer lateral or appurtenance thereto that is in violation of this chapter is hereby declared to be unlawful and a public nuisance and subject to abatement pursuant to the applicable provisions of state law and the San Bruno Municipal Code, and as currently in effect or as hereafter amended. (Ord. 1822 § 1, 2014)