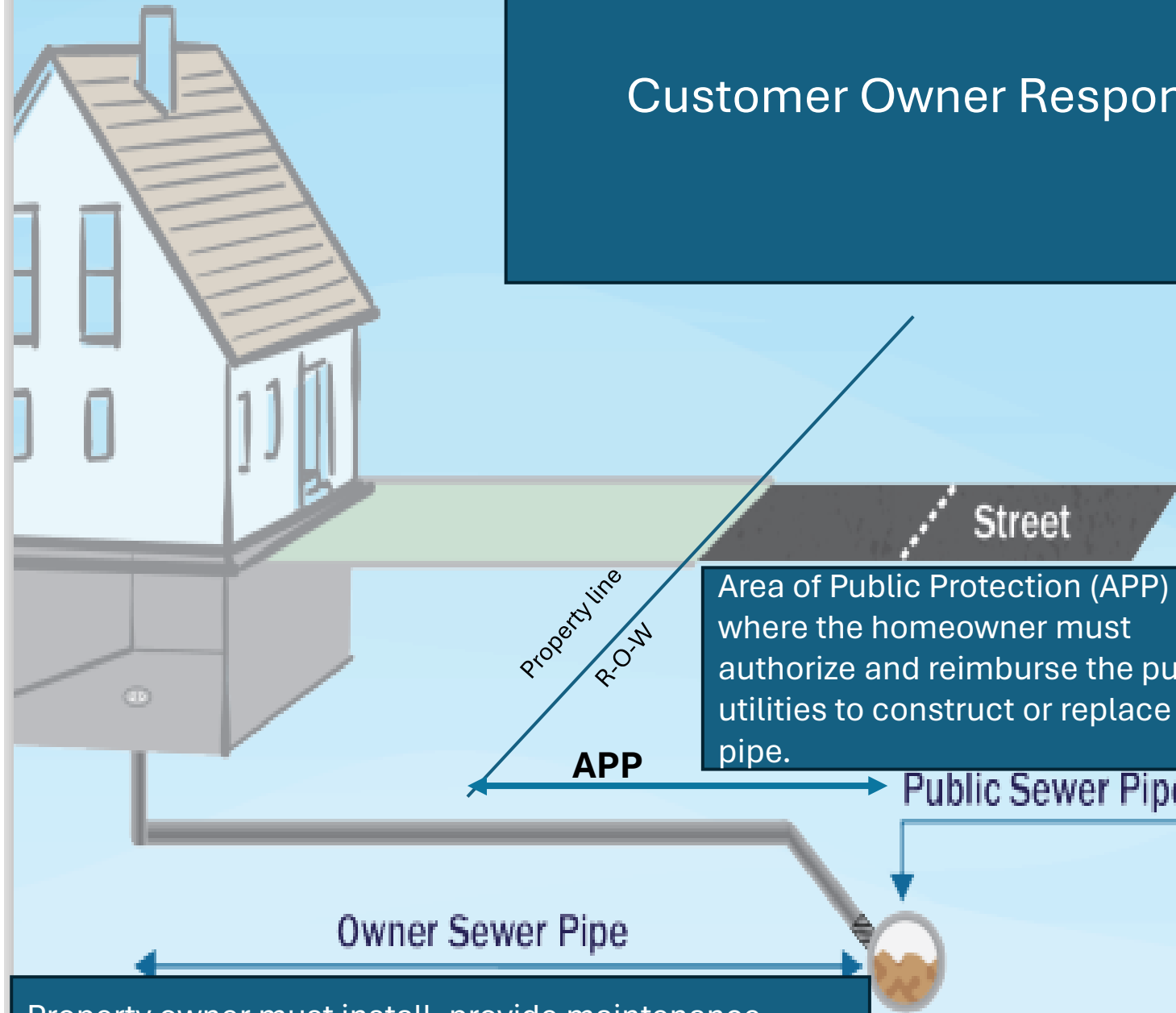




Your Responsibilities as a
Sanitary Sewer Customer

Customer Owner Responsibilities



Area of Public Protection (APP) where the homeowner must authorize and reimburse the public utilities to construct or replace pipe.

Sewer main pipes, typically found under the road, are public property and the responsibility of the utility provider.

Home plumbing, including the connection to the public sewer pipes, are the property owner's responsibility.

For problems with home plumbing or the pipe connecting to the public sewer, contact a licensed plumber for assistance.

Property owner must install, provide maintenance, comply with plumbing code, and replace as necessary

Popular Customer Misperceptions

- #1: Assuming the City will take care of all household damages if the blockage occurs in the public main.
- #2: Assuming the City will reimburse the homeowner for plumbing costs if the plumber cannot address a city problem.
- #3: Assuming the City is responsible for pipes beyond the property line or in the public right of way.
- #4: Assuming that household plumbing complies with the plumbing code (backwater valve not needed).
- #5: Assuming a backwater insurance rider is not needed on a homeowner's insurance policy.
- #6: Assuming purchased products or household grease can be disposed into the sanitary sewer .

Why is it a misperception to assume that the City will cover the damages caused by a blocked city sewer pipe?

Liability begins with the legal interpretation of the reasonable control that the City has over the public sewer system. The Virginia Courts have ruled that localities can adopt rules prohibiting improper dumping of items into the sewer and they can try to educate the public about the problems they cause, but there's really no way that the locality can absolutely prevent this from happening. In addition, other factors that are beyond the control of the locality can cause back-ups as well. Tree roots grow into and obstruct the pipes; or extraordinary amounts of rainfall infiltrate the system and overload it.

The City's risk management consultant will manage our damage claims and evaluate the City's liability for negligence as defined by the State of Virginia courts.

Locality Liability / Negligence Determination

The courts have made it clear that the locality is liable for sewer back-up damages if, and only if, the locality's negligence caused the damages. There are four basic questions the courts look at in deciding this issue. The locality is liable if the answer to all four is **yes**.

1. **Was there a defect in the locality's sewer line?** This might be a tree root, a foreign substance such as grease or a diaper that has found its way into the line, a sag or break in the line, a bad design of the line.
2. **Did the locality know, or should the locality have known, about the defect?** For example, were there previous complaints or reports of problems, should the problem have been discovered during routine inspection or maintenance of the lines?
3. **Did the locality fail to correct the defect within a reasonable time after learning of it?**
4. **Did the failure by the locality cause damages?**

If the locality exercises reasonable care in inspecting and maintaining its sewer line, and if the locality responds to problems in a reasonable manner and time, the locality is not liable when sewer back-ups occur. This is why it is very important for the locality to perform regular maintenance and inspection of its sewers and to keep good records of that maintenance and inspection is done.

Owner Checklist

- #1: Make sure that your plumbing complies with the plumbing code as pertains to a backwater valve.
- #2: Make sure that you have an outside cleanout with a removable cap located at or near the property line.
- #3: Periodically have your plumbing pipes and vents inspected for integrity.
- #4: Decide if you want to add a rider for water / sewer damage onto your homeowner's insurance .
- #5: Protect yourself by understanding what materials can be disposed into the sanitary sewer.
Most commercial products are not allowed and should be disposed in an alternative manner.
Greases and wipes are extremely detrimental to providing a reliable sewer system.