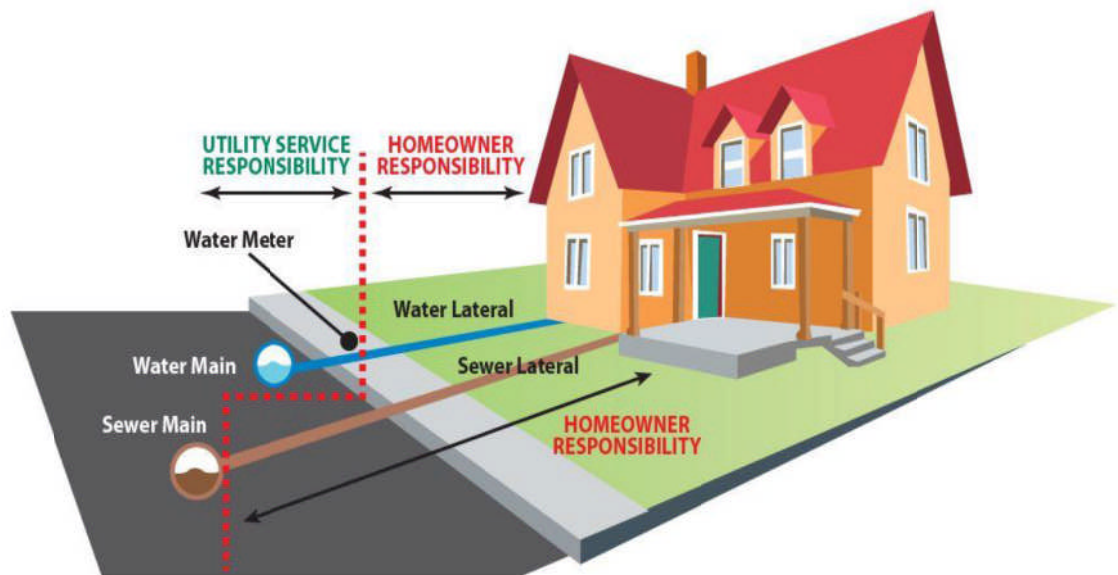


Coping with Sewer Backups:

Understanding Your Options



CITY OF HARRISONBURG, VA

Department of Public Utilities

2155 Beery Road

Harrisonburg, VA 22801

540.434.9959

Sewer Backup Event

Sewage usually flows in a reliable path, moving along from pipes inside your home to outside lateral pipes under the lawn or street. These pipes carry sewage to the public main, which then move the sewage to the City's Wastewater Treatment Plant.

When the path reverses, for any reason, it is an unpleasant and unwelcomed surprise. We'd like to help with information on how to best cope with this turn of events.

The customer usually has two immediate questions:

1. How do I get the sewage out?
2. Who pays?

*How? Always call the Public Utilities Department
First – 540.434.9959*

Call Us First Before Any Other Repairman

You want to be sure to call us first because certain conditions, which may cause the most damage, are related to blockages in the public main. Only the Public Utilities response personnel can address these issues and they may find that you don't need a repairman.

Here is what you can expect from the experts in your municipal department when they arrive following your call:

1. A quick response; our employees are trained to provide an expected arrival time to you.
2. A thorough check of the pipes in the public main, testing to identify any stoppages in the public main, removing any stoppages that may exist and / or preventive maintenance cleaning in the public main. The Public Utilities Department will also clean-up and disinfect around public manholes which may have overflowed.

3. A written assessment of the condition of the public main at the time of the initial visit. At this time, the response experts may suggest that you call a plumber and / or cleaning service.

Special Circumstances – Sewer Laterals Under City Streets and Sidewalks

Occasionally after you have been referred to a plumber to investigate your private lateral blockage, it is determined that the cause of the problem may lie within a portion of your private lateral that is located between the right-of-way and the City main. Sometimes this means that the lateral is under sidewalk and City streets. The Public Utilities Department has a special program known as the **Sewer Renewal Program** to deal with these unique cases. Please contact us immediately at **540.434.9959** if your plumber has determined this is the case with your lateral. Our Field Utilities Superintendent or other department representative will contact you to discuss the full details of this program.

Here's what you cannot expect from municipal experts:

1. Clean-up or plumbing assistance for inside your residence or business.
2. Clean-up or plumbing repairs on private sewer laterals from the dwelling to the right-of-way.

Who Pays?

Generally speaking , recovery of costs for damages caused by a sewer backup event that occur inside a home or business is the responsibility of that resident or owner. Costs to repair the private sewer lateral are also the responsibility of the owner. Remember to save your receipts, they may be reimbursable through your homeowner's policy.

City's Liability

Court decisions have made it clear that the locality does not and cannot guarantee that its sewer will never back up. A sewer system is not a closed system. Any resident or business that is hooked up dumps waste into the sewer. The City of Harrisonburg is liable for damages other than the public sewer main IF, and only IF, the locality's negligence caused the damage. Here are the four basis questions that the court looks 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? (tree root, grease, diaper, sag or break in line, or ineffective design)
2. Did the locality know or should the locality have known about the defect? For example, were there previous complaints or report of the problem, should the problem have been discovered during routine inspections or maintenance of the lines?
3. Did the locality fail to correct the defect within a reasonable time after learning of it?
4. Did that failure by the locality cause damages?

This is one reason why the Department of Public Utilities supervises the City's public main lines with an aggressive and regular maintenance schedule.

If you believe the City is liable for damages because of negligence, as outlined in all of the four points listed above, please contact us at 540.434.9959 and a representative from the department will explain our insurance claim process.

How can I Protect Myself from this Costly Inconvenience?

1. Check your homeowners' policy. All insurance companies that provide homeowners or tenant's coverage in Virginia are required to inform insurers of the availability of coverage for back-ups from sewers and drains. Consider purchasing a new policy if yours does not have this coverage.
2. Avoid disposal of prohibited objects into the sewer system.
3. Contact Public Utilities if you suspect problems or to request general information.