



Memo

TO: Public Works Committee
FROM: Ed Andrews, Public Works Director
SUBJECT: Sanitary Sewer Lateral Policy Discussion
UPDATE
DATE: August 9, 2019

UPDATE

During discussion on this topic at the July '19 Committee of the Whole meeting, it was asked how many sewer laterals extend into the street. As expressed at the meeting, many of the existing laterals were not mapped since they predated the City's building permit requirement of 1961. However logical virtual connections along with known locations have been added to the City's GIS to support the collection system's management, operation, and maintenance (CMOM) program. Of the 5,223 mapped & virtual sewer laterals:

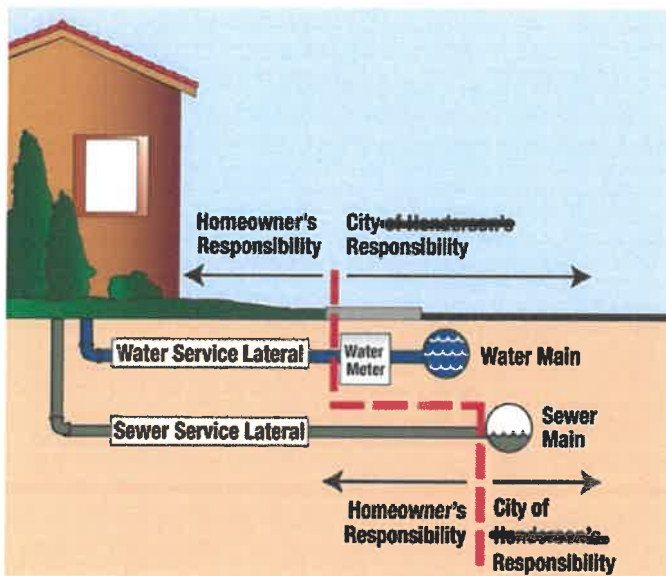
Right-of-way: 85.05% (4,440)
Backyard/Side yard: 14.95% (783)

Laterals (5,223) do not necessarily equal sewer accounts (5,833) since construction pre-Clean Water Act (CWA) often reduced the cost of the connection with shared laterals whereby two homes "Y" their outfalls together to make a single connection to the sewer main in the street. This connection has not been allowed since the CWA of 1972 and also presents another layer of associated risk in any policy decision making.

ORIGINAL MEMO

At the most recent Public Works Committee meeting of July 1, 2019, discussion of reviewing the sanitary sewer lateral policy. Direction was to bring this to Committee of the Whole for further discussion, specifically revising the ordinance for the portion of the private lateral on right-of-way to be maintained by the City. Portions of this discussion have been previously presented in winter of 2017 and summer of 2018 at Public Works and Committees of the Whole.

While not specifically stated by Ordinance, the current policy is that of the sanitary lateral is private to its point of connection with the public sanitary sewer and a responsibility of the homeowner under Chapter 52 – Sewers, Drains and Sewage Disposal of the City Code.



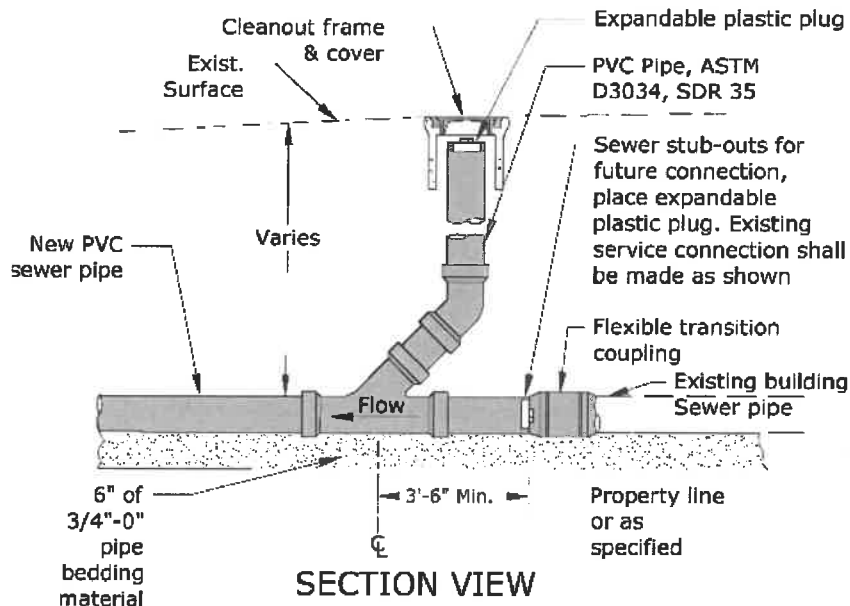
The cost associated with the repair or replacement of sanitary lateral is sizeable, in the thousands of dollars, and sometimes requires digging into the street to make a new connection to the public main. This leads to additional costs to make an appropriate road repair. The City currently sees 1 to 2 lateral repair permits per year, but this number may increase given the age of certain portions of the system and with consideration of street reconstruction.

It should also be noted that with new subdivision construction, as defined under Chapter 152 - Subdivision of the City Code, specifically Section 152.021, specifies that the developer provide sanitary mains and laterals as part of the initial construction. Laterals are stubbed to the edge of right of way for each platted lot. The individual builder then completes the lateral to the home. This requirement is similar to water services which are brought to the edge of the right of way, but also provided with a curb stop / buffalo box. For a water service this is the demarcation of private versus public ownership.

While this would seem to readily lend itself to help define the same for a sanitary lateral, many older homes pre-date the sanitary collection system established in the mid-1950s. In those cases, it appears that the individual owner was responsible for connecting to the public sewer. In fact, policy was that the homeowner could electively come on to the system at their choosing with some homes still being discovered to be on private septic as recent as last year. This is no longer that case by both Section 52.024 of the City Code and the Illinois Plumbing Code currently requires a private system be brought onto a public system if it is within 300 feet of a public sewer (Section 905.20).

A review of the permit issued for new construction suggests that of the City's approximate 5833 sewer accounts, approximately 2424 (or 42%) have been built since Section 152.021 of the subdivision code was amended in 1994. It was at this time that sump collection lines became part of the Code, reducing the chance of illegal connections of sump lines into the sewer.

Arguably these new accounts would lend themselves to a revision to the Code at little risk of financial impact to the City. The same can be said for the proposed reconstruction program starting with North Lawndale and West Holland. In fact, reconstruction of these streets is proposed to introduce a new City Standard whereby a clean is installed at the ROW line, clearly demarking where private and public ownership could / would be defined moving ahead.



The revision of current policy, with only 42% of the sanitary laterals in conformance to the current code exposes the City to \$17M in unfunded liability for the remaining 3409 laterals at an average cost of repairs of \$5,000 each.

Staff previously presented at the August 13, 2018 Committee of the Whole a 3rd Party Service Line Insurance by Utility Service Partners, Inc. It is also understood that some homeowner insurance policy would provide for a supplemental rider for repairs up to a nominal amount, say \$5000 of coverage for \$160/year depending on the age of the home.

Cc: File