



# Administrative Rules

## Sanitary Sewer Lateral Grant Program Policy and Procedures

Rule No. 12.01.080-10-01  
Effective 05-16-2017

The City is responsible for the public sanitary sewer waste water collection system within the city boundary. This responsibility is granted through cooperative agreement(s) with Clean Water Services, the county district agency.

### I. Policy Summary:

- A. Private property owners are responsible for sewer laterals as a private conveyance of authorized waste flow into the public sewer system. This is considered the “point of connection” to the city sewer waste water collection system. All costs associated with maintenance, clearing obstructions, and maintaining proper and adequate flow to prevent sanitary sewer overages (SSOs) or discharges are the responsibility of the private property owner. Sewer laterals serve only one private property each and benefit only the private property legally served. Sewer laterals are not part of the public sewer system, nor does the city have ownership of sewer laterals serving private property.
- B. The city is responsible for clearing any obstructions or blockages within the main pipe conveyance and manholes within the sanitary sewer system that may cause SSOs, either within the public sanitary sewer system or on private property through private sewer lateral connections.
- C. The city and Clean Water Services recognize that structurally deficient private sanitary sewer laterals may cause damage to city owned streets, including sinkholes, cracked pavement and potholes. Failing private sewer laterals may also contribute to groundwater inflow and infiltration problems that affect the capacity of the city’s sanitary sewer wastewater collection system and Clean Water Services’ wastewater treatment plant systems.
- D. The city developed a **Sanitary Sewer Lateral Grant Program** to provide financial incentives toward timely repair or replacement and to help homeowners with the cost of making repairs beneath city owned streets and public right of way.
- E. The Sanitary Sewer Lateral Grant Program utilizes sewer funds to reimburse homeowners for a portion of the cost associated with repair or replacement of sewer laterals. Assistance is only available for repair or replacement of sewer laterals with a significant structural defect, as defined by this Rule, and which are located beneath city streets. A well-documented interdepartmental approval process is required prior to the release of funds. The program is dependent on annual funding approval and applies only to residential homes occupied by the property owner, referred to as “homeowner.”
- F. The program is not available to multiple-family, commercial, or industrial properties including apartments, condominiums, homeowner associations, properties on private streets, or properties with sewer laterals on private property within utility easements. Community laterals are not eligible unless ordered by the city engineer to separate from the community lateral and make a separate single lateral connection, as determined on a case-by-case basis.
- G. City council will approve the maximum reimbursement amount. The reimbursement amount will be set to allow homeowners access to these funds, which are limited and intended for imminent repairs of private sanitary sewer laterals.

### II. Sanitary Sewer Lateral Grant Program Rules

- A. The program is in effect as of the adoption of this administrative rule.
- B. The program only applies to residential homeowners.
- C. The program only provides assistance when funds are allocated for that purpose within a specific budget year.
- D. Allocated funds are available on a first come, first serve basis until all allocated funds are expended.

- E. Construction of public sewer mains or new sewer connections will not be funded by this program. An exception may be when separation from a community lateral is necessary; however, system development connections charges will still apply.
- F. The homeowner of the lateral shall be reimbursed for the cost of the lateral replacement underneath street pavement, excluding alleys or other utility easements on private streets or property, as approved by the city. However, the reimbursement will be capped at the dollar amount approved by city council.
- G. Reimbursement shall not include the cost of work performed on private property beyond the public-right-of-way (public right-of-way may include portions of sidewalk, curb, and street).
- H. Reimbursement shall not include the cost of obtaining easements, plumbing permits, tree permits, or work within the right of way permits.
- I. Application for grant funding must be submitted for approval within 30 days of documenting defects or structural problems associated with sanitary sewer lateral.
- J. Proof that private sewer lateral pipe failure is located underneath street pavement must be submitted and approved by the Public Works Director, or designee. A copy of the video of the sewer lateral showing the structural defect must be submitted with the grant application.
- K. Participation in the grant program is reserved for those homeowner properties with a significant structural defect in the lateral or when separation from a community lateral is necessary. A significant structural defect is defined as a separated joint, cracked pipe, or crushed pipe that prevents or inhibits flow required for normal operation. For the purposes of the program, a "sag" or "belly" in the lateral is not considered a significant structural defect.
- L. Homeowners may still proceed with repair or replacement if the application is denied, but the city will not reimburse any costs associated with such repair or replacement. When the city denies an application, it does not mean or imply that the private sewer lateral should not be repaired or replaced. The city reserves the right to deny an application based on defects identified as not significant enough to be eligible for the grant assistance program. It is the responsibility of the homeowner to decide whether to repair or replace the lateral should the city determine that the application and information provided does not meet the program requirements or criteria.
- M. The city has sole discretion to decide which private sanitary sewer laterals may be repaired or replaced under this grant assistance program.
- N. The program will only fund those improvements necessary to meet the normal costs associated with a sewer lateral replacement less any rebates or incentives offered by a contractor.
- O. Public works department reserves the right to make point repairs on private sanitary sewer laterals within the public right of way in lieu of using grant program funds.
- P. Lump sum quotes will not be accepted.

### **III. Grant Reimbursement Practices and Procedures**

- A. The program will only reimburse the amount indicated in the approved price quote detail sheet unless otherwise approved by the Public Works Director or designee.
- B. The city reserves the right to deny approval of any application that contains an unreasonable or inferior price quote.
- C. Funds will only be reserved once permits have been issued. Permits will expire and reserved funds will be made available to others if construction has not begun within 60 days of permit issuance.
- D. Reimbursement will only be granted to those homeowners who have followed these Rules, have acquired all applicable permits, comply with all city, district, state, and federal standards, have obtained final inspection approval, and have returned a complete "proof of contractor payment" form to the city within 30 days of final inspection.
- E. The property homeowner is the only person eligible to apply for this program and the funds will only be released to the property owner of record. The city will not make any payment directly to contractors or constructors.

### **IV. Grant Application Appeal Process**

- A. Grant applicants that have received denial of their application may appeal to the city engineer.

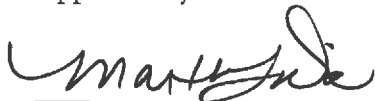
- B. The appeal must be in writing and must detail the homeowner's reason for appealing the decision. Supporting documentation must be included. These documents shall be delivered within 30 days of the original application final determination date (denied) to:

City Engineer  
ATTN: Sewer Lateral Grant Program Appeal  
City of Tigard  
13125 SW Hall Blvd.  
Tigard OR 97223

**V. Procedures and Practices for Sanitary Sewer Lateral Grant Program**

- A. Property homeowner contacts Public Works Department at [sewerlateralgrant@tigard-or.gov](mailto:sewerlateralgrant@tigard-or.gov) to discuss sewer lateral repairs or concerns. A copy of the Sewer Lateral Grant Application and Program Guide will be provided to the homeowner.
- B. Property homeowner submits a copy of the video via [sewerlateralgrant@tigard-or.gov](mailto:sewerlateralgrant@tigard-or.gov). The video will be evaluated to determine if structural defects are significant enough to qualify for the grant program. The property homeowner will be notified of Public Works Department findings.
- C. Property homeowner obtains bids from contractors. The homeowner selects a contractor who provides the owner with a price quote detail sheet or company quote showing the breakdown of property owner costs and city reimbursable costs (sidewalks, curb, paved surfaces of city street or roadway only). Note: The program will only reimburse the amount indicated on the city approved price quote detail sheet or an adjusted contractor invoice, whichever is less.
- D. Homeowner submits Grant application and price quote detail to City of Tigard, Attn: Sewer Lateral Grant Program, 13125 SW Hall Blvd, Tigard, OR 97223 or [sewerlateralgrant@tigard-or.gov](mailto:sewerlateralgrant@tigard-or.gov) for review. Application for reimbursement will be approved or denied.
- E. Contractor obtains all required permits for the project such as right of way construction, traffic planning, plumbing permits, tree removal permits, etc. All permits must be paid by the contractor or applicant and included in the detail sheet quote.
- F. Contractor begins work. Note that contractor must begin work within 60 days of permit issuances.
- G. Contractor will fulfill any permit construction and plumbing inspection as required, including final video of entire private sanitary sewer lateral from household lateral cleanout to point of connection at city sanitary sewer system.
- H. Property homeowner submits Proof of Contractor Payment Form and payment receipt to City of Tigard, Attn: Sewer Lateral Grant Program, 13125 SW Hall Blvd, Tigard, OR 97223 or [sewerlateralgrant@tigard-or.gov](mailto:sewerlateralgrant@tigard-or.gov) within 30 days of final permit inspection.
- I. City reimburses property homeowner qualifying costs up to the maximum master fees and charges schedule amount. The city will not reimburse contractors directly under this program.

Approved by:



Martha L. Wine, City Manager

5.16.2017

Date