

**Winston-Salem/Forsyth County Utility Commission
Action Request Form**

ADOPTED April 12, 2021 by the
Winston-Salem/Forsyth County Utility
Commission

Date: April 12, 2021

To: Damon C. Dequenne, Assistant City Manager

From: Courtney Driver, Utilities Director

Commission Action Requested:

Consideration of a Resolution Amending Sections 25 and 26 of the Sewerage System Policy Resolutions.

Strategic Plan Goal Area: Infrastructure

Strategy: Ensure Compliance

Key Work Item: No

Summary of Information:

The Planning and Policy Committee of the Winston-Salem/Forsyth County Utility Commission (Commission) met on March 15, 2021 to discuss revisions to the Sewerage System Policy Resolutions.

The revisions recommended by the Planning and Policy Committee are indicated in Attachment A and will take effect immediately upon adoption by the Commission. Additions are highlighted in yellow and deletions are highlighted in blue with strikethrough.

Submitted By: Mike Stover, P.E.
Name

Utilities Administration
Department/Division

**RESOLUTION AMENDING SECTIONS 25 AND 26 OF THE SEWERAGE SYSTEM
POLICY RESOLUTIONS**

WHEREAS, the Planning and Policy Committee of the Winston-Salem/Forsyth County Utility Commission met on March 15, 2021 to discuss revisions to the Sewerage System Policy Resolutions; and

WHEREAS, it is the recommendation of the Planning and Policy Committee to amend the Sewerage System Policy Resolutions according to the revisions indicated in Attachment A; and

WHEREAS, revisions will take effect immediately upon adoption by the Winston-Salem/Forsyth County Utility Commission.

NOW, THEREFORE, BE IT RESOLVED by the Winston-Salem/Forsyth County Utility Commission, an agency of the City of Winston-Salem, that the resolution approving amending the Sewerage System Policy Resolutions, as indicated in Attachment A, is hereby approved.

Deleted
Added

ATTACHMENT A

PART B – SEWERAGE SYSTEM POLICY RESOLUTION

ARTICLE II. – SEWER CONNECTIONS

Section 25. - Maintenance.

Whenever any house sewer, house drain or connection with any main sewer or common drain becomes clogged, broken, out-of-order or detrimental to the use of the sewer or other drain, or unfit for the purpose of drainage, the owner, agent, occupant, or person having charge of any building or premises which is drained through such defective connection shall, when directed by the director or a health officer, within five (5) days after notice in writing, reconstruct or repair such sewer, drain, or connection as the condition of same may require.

The city will ~~maintain~~ repair sewer service infrastructure within the limits of the right of way or public easement. ~~first cleanout beyond the public sewer main when constructed of cast-iron soil pipe.~~ The city will also install a suitable cleanout fitting at its expense if deemed necessary. The owner or occupant will assume the responsibility for conveying his/her waste to the public main.

(Res. of 6-9-03(2); Res. of 10-11-10)

Section 26. - Sewer backup claims (Good Neighborhood Policy).

- (a) When a residential property owner is uninsured for the damages incurred, the utility commission authorizes the city manager, or his designee, to pay up to fifteen thousand dollars (\$15,000.00) for damage to real property and fixtures and up to five thousand dollars (\$5,000.00) for damage to personal property and for reasonable hotel accommodations to a homeowner who experiences a sewer backup in their home, subject to the limitations set out in this section. When a homeowner seeks compensation pursuant to this section and is insured for the damages incurred, the utility commission authorizes the city manager, or his designee, to pay the amount of the deductible applied by the insurance company, not to exceed one thousand dollars (\$1,000.00) per occurrence, and subject to the limitations set out in this section. Only actual damages will be reimbursed. Before receiving compensation pursuant to this section, the homeowner will be required to sign a release.
- (b) *Main line blockages.* Claims for sewer backups which are caused by blockages that occur in the mainline shall be considered only for first time occurrences at the address, where the elevation of the lowest wastewater appliance in the home is below the elevation of the next upstream manhole cover and where the home does not have a backwater valve check valve device installed at the time of the occurrence. Before receiving compensation pursuant to this subsection, the homeowner must agree to install a backwater valve check valve device.
- (c) *Service line blockages.* Claims for sewer backups which are not caused by mainline blockages, but are caused by blockages that occur in the service line shall be considered only where the blockage occurs between the cleanout located within the public right of way or easement and the mainline, and only where clearing the blockage requires access from the mainline or requires the repair or replacement of the cleanout located within the public right-

Deleted
Added

~~of way or easement or repair or replacement of the service line that runs from this cleanout to the mainline. This subsection shall not apply to properties that do not have a cleanout located within the public right of way or easement, unless that portion of the service line that is located within the public right of way or easement is defective or damaged and where the damage or defect wholly or partially contributed to the blockage. A homeowner receiving compensation pursuant to this subsection will not have to agree to repair or to install a check valve device, unless the elevation of the lowest wastewater appliance in the home is below the elevation of the next upstream manhole cover.~~

(Res. of 6-9-03(2); Res. of 8-11-03; Res. of 6-11-07; Res. of 12-8-14)