

ORDINANCE NO. 13901

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SEWERS, MAINS, AND DRAINAGE, SECTION 31-4, INSTALLATION, MAINTENANCE, REPAIR OF SEWER SERVICE LINES; CHARGE; EXCEPTION AND SECTION 31-14, PRIVATE COMMUNAL SANITARY SEWER SYSTEMS, RELATED TO SEWER LATERAL MAINTENANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE:

SECTION 1. That Chattanooga City Code, Part II, Chapter 31, Sewers, Mains, and Drainage, Section 31-4, Installation, maintenance, repair of sewer service lines; charge; exception, to be amended by deleting same in its entirety and substituting in lieu thereof as follows:

Sec. 31-4. Installation, maintenance, repair of sewer service lines; charge; exception.

(a) *Definition.* A "standard sanitary sewer service line" is a four (4) inch or six (6) inch pipe extending from the sewer main or trunk location in a street, alley, or easement to the property served by the main or trunk.

(b) *Installation of sewer service lines.* Four (4) inch building sewers shall be laid on a grade of at least one percent (1.0%). Larger building sewers shall be laid on a grade that will produce a velocity when flowing full of at least two (2) feet per second. Slope and alignment of all building sewers shall be neat and regular.

Building sewers shall be constructed only of: 1) polyvinylchloride pipe with solvent-welded or rubber compression joints; 2) ABS composite sewer pipe with solvent-welded or rubber compression joints of approved type; or 3) such other materials of equal or superior quality as may be approved by the director. Under no circumstances will cement mortar joints be acceptable. Each connection to the sewer system must be made at a wye, or service line stubbed out, or in the absence of any other provision, by means of a saddle of a type approved by the city, attached to the sewer. No connection may be made by breaking into an existing sewer and inserting the service line.

Where a sanitary service line crosses from private property onto the public right-of-way, a bi-directional cleanout must be provided at the property owner's expense.

The building sewer may be brought into the building below the basement floor when gravity flow from the building to the sewer is at a grade of one percent (1.0%) or more if possible. In cases where basement or floor levels are lower than the ground elevation at the point of connection to the sewer, adequate precautions through the installation of check valves or other backflow prevention devices, to protect against flooding shall be provided by the owner. In all buildings in which any building drain is too low to permit gravity flow to the sewer, wastes carried by such building drain shall be lifted by an approved means and discharged into the city sewer. All costs associated with such lifting devices shall be the responsibility of the property owner.

(c) *Standard Sewer Stubouts.* Hereafter, as a part of sanitary sewer projects in the city, the city shall install, or cause to be installed, standard sanitary sewer service lines from mains or trunks located in a street, alley, or easement to the property line of each lot or residence on the street being sewered. In the case of sewers being constructed in undeveloped subdivisions located within a designated sewer project, the standard sanitary sewer service lines may be constructed to each lot as shown on the plat of the subdivision by the developer as filed in the Register's Office of Hamilton County, Tennessee. Sewer service lines may not be constructed by the city in a street where the property is unsubdivided and undeveloped. A fee shall be charged upon connection to the sewer line as provided in paragraph (d) of this section.

(d) *Fee.* There shall be no fee charged for connection to four (4) inch sewer service lateral lines. There is hereby levied and imposed a sewer service line charge of eight hundred dollars (\$800.00) for every six (6) inch or larger sanitary sewer service line installed where a lateral sewer connection has been provided for use by the applicant. The service line charge shall be paid by property owners at the time that application is made to the city for permission to tie onto the sanitary sewer service line. The collection of such payments shall be the responsibility of the Development Review and Permitting Division of the Department of Public Works. This eight hundred dollar (\$800.00) charge shall be in addition to any required fee for a plumbing permit, street cuts, or other fees; provided that, such sewer service line charge shall not apply if the lateral sewer connection was constructed by and the cost of same borne by the developer of a subdivision incidental to the construction of a collector sewer system for the subdivision or there has been no lateral sewer connection provided; and the applicant shall be required to show that he is entitled to this exception.

(e) *Title and maintenance.* All rights, title, and interest in the sanitary sewer service line installed by the City pursuant to paragraph (c) of this section are conveyed to the property owner upon connection to said line. Thereafter, all repairs and maintenance of the sanitary sewer service line for all sanitary sewer service lines on private property shall be the responsibility of either the property owner, user of the sewer, or the developer, as the owner, and user and developer shall agree by separate contract between themselves. Sanitary sewer service lines of four (4) inches or smaller within the right-of-way of a dedicated and accepted public street shall be the responsibility of the City. Blockages of these lines caused by root balls, grease clogs, or other obstructions that can be removed by cleaning are the responsibility of the property owner, user, or developer. City responsibility shall only cover repair or replacement of the structural pipes,

fittings, and connection to the sewer main, including proper backfill and repair of any pavement or other surface features within the ROW, excluding private landscaping which shall be the property owner's responsibility.

In the event a property owner encounters a problem with a sanitary sewer service line that they believe is the responsibility of the City as described in the preceding paragraph, property owners are required to:

1. Have a bi-directional sewer cleanout installed at the City right-of-way line if one does not already exist; and
2. Have a licensed plumber attempt to clear any blockage in the line before contacting the City; and
3. Have a licensed plumber survey the service line using a camera to verify that required sewer maintenance is within the area of City responsibility; and
4. All video footage shall be recorded and submitted to the City detailing the approximate location needing repair within the right-of-way.

(f) *Location of sewer stubout.* The plumbing contractor is responsible for locating the sewer stubout. City personnel will provide whatever information is available for this purpose. If no "wye" or "tee" exists within three (3) feet of either side of the location shown in the city's records, then a tap will be provided by the city when the sewer main is uncovered. If a manhole needed for locating a service line has been lost, then the city shall be responsible for locating the manhole.

(g) *Taps on city sewers.* All taps directly made unto the city's sewer lines shall be made by city sewer maintenance personnel. The request for the tap shall be made by the plumbing inspector. The plumbing contractor shall excavate to the city's sewer and expose the pipe in preparation for the tap. Only one (1) service line shall be allowed to be installed in a trench. New taps shall be made using a "wye" type connection.

(h) *Manhole required.* A new manhole will be required whenever a sewer service line larger than six (6) inches is needed to tie unto the city's sewer. The plumbing contractor shall excavate to the city's sewer and sufficiently expose the pipe for installation of a manhole. The city's sewer maintenance personnel shall install the manhole after a request is made by the plumbing inspector. The cost of the manhole, including labor and materials, shall be charged to the owner after construction is completed.

(i) *Maintenance of sewer service lines.* All repairs and maintenance of the sanitary sewer service line shall be the responsibility of the property owner or user of the sewer, excepting those portions of four (4) inch or smaller service lines that are eligible for the City's Sewer Lateral Maintenance program. Correction of excessive inflow or infiltration in sanitary service lines shall remain the responsibility of the property owner when the excessive inflow or infiltration occurs on

private property. The city shall be responsible for the maintenance of collector lines and interceptor lines only up to the point where the owner's sewer service line connects to the city's lines.

(j) *Exceptions for state highways and railroads.* When the installation of sanitary sewer service lines is required for sewers constructed in highways or streets owned by the State of Tennessee for which boring rather than open cutting is required by regulation of the State of Tennessee, installation shall be at the expense of the property owner, and the provisions of paragraph (c) shall not be applicable, and the developer shall construct sanitary sewer service line at the developer's expense. Maintenance of sanitary sewer service lines within state or railroad rights-of-way shall be the responsibility of the City. Installation of sanitary sewer service lines in state highways or streets must additionally be approved by the Tennessee Department of Transportation and, in railroad rights-of-way, by the railroad.

SECTION 2. That Chattanooga City Code, Part II, Chapter 31, Sewers, Mains, and Drainage, Section 31-14, Private communal sanitary sewer systems, to be amended by deleting same in its entirety and substituting in lieu thereof as follows:

Sec. 31-14. Private communal sanitary sewer systems.

(a) Excluding industrial waste facilities issued a permit pursuant to Article III, any owner, operator, or user of a private communal sanitary sewer system such as, but not limited to, multi-tenant buildings, building complexes, or shopping malls shall be responsible for the quality of wastewater discharged at the point of connection to the city's sanitary sewer system, and shall be responsible for any violations of the provisions of this chapter, including liability for the damage or injury caused to the city's system as a result of any discharge through the private system.

(b) In the event that any portion of a private communal sanitary sewer line which is serving single-family residences is shown to be defective, it shall be the responsibility of the owners whose properties are being served by the defective communal line to separate from said line and create their own discrete connection to the city's sewer system; the City shall provide a lateral connection at the ROW line. If any property owner of a defective communal line fails or refuses to connect to the city's system, a notice shall be given to the public officer of the Department of Community Development for such action as may be proper under Chapter 21 of this Code. The Director or his designee may take such other action to abate the nuisance as may be warranted under the circumstances.

(c) A property owner required to connect directly to the city's sewer system pursuant to subsection (b) who cannot financially afford to make said connection may apply for assistance through the city's Sewer Lateral Assistance Program ("SLAP").

(d) In the event a property owner who is required to connect directly to the city's sewer system pursuant to subsection (b) but is not eligible for SLAP funding and the cost of connection to the city's sewer system is proved to be a hardship for the property owner, the property owner may make application to have the city connect the owner to the city's sewer system. The

determination of what is considered a hardship and other eligibility requirements shall be set by the administrator of public works. Upon meeting said requirements, the property owner must submit an authorization to commence work and agreement to repay the city for such work. The city shall bill the property owner monthly at an amount not to exceed \$100 per month. Additionally, the property owner authorizes the City to place a municipal lien on the property for the repair work completed.

(e) Subsections (c) and (d) shall only be applicable to owner-occupied properties.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: October 11, 2022

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

PAN/mem/v2