

## Village of Tompkins Policy

<i>POLICY TITLE:</i> <b>SEWER BACKUP</b>	<i>POLICY NUMBER:</i> <b>01/2016</b>	<i>EFFECTIVE DATE:</i> November 08, 2016
<i>ORIGIN:</i> <b>Operational</b>	<i>ADOPTED BY COUNCIL ON:</i> November 8, 2016	<i>AMENDED DATE:</i>

The Village of Tompkins is responsible for maintaining sewer mains and manholes which are located in maintained roads. Property owners are responsible for maintaining sewer lateral lines.

A sewer lateral is the pipeline located between the Village main and the building. The sewer lateral is owned and maintained by the property owner, including any part that may extend into the street or public right of way.

The Village, through a maintenance program keeps the sewer system in a good state of repair. Occasionally conditions develop that may cause sewage to backup into a residence or business.

By authority given through the Municipalities Act, the Village is not liable in an action based on nuisance, or on any other tort that does not require a finding of intention or negligence for any loss or damage arising, directly or indirectly, from any public works, including streets, or from the operation or non-operation of a public utility; therefore will not assume any liability for any sewer back up damage, loss or cleanup resulting from the failure of the sewer infrastructure regardless of cause unless negligence on the part of the Village can be determined.

The purpose of this policy is to make clear the owners' responsibilities concerning the sewer lines on their property and the steps the owner should take when a backup occurs.

### **1. Property Owner Responsibility**

- A property owner is responsible for keeping the building sewer lines free from blockages between the structure and the sewer main
- The cause of a backup in the lateral is often from items the line is not meant to handle
- The owner is required to contact a proper contractor to investigate the problem; as well, the owner is responsible for the cost of the contractor.
- If the problem is determined to be the Village main, the Village will compensate the owner for the cost

- If the problem is determined to be the lateral, the owner is responsible for the cost
- If waste water backup has damaged the owners property, the resident should take reasonable action to prevent further damage
- The owner shall take whatever action necessary to correct the problem, including contacting a cleanup or restoration contractor and their insurance provider to determine the level of coverage
- Village Insurance will only cover cost for loss of damage resulting from a blocked sewer line if negligence on the part of the Village can be determined

## **2. Why Sewer Lines Backup**

- Many items may become lodged in a sewer line that may result in a backup; sticks, rocks, pieces of broken pipe, grease, oil, plastics, etc
- Fats, oil and grease are major contributors to sewer backups
- Under authority of the Plumbing and Drainage Regulations and the enforcement by the Local Health Authority, restaurants are required to have a grease interceptor and owners are to maintain them in working order
- Residential users should never discard fats, oil or grease into any drain

## **3. Preventing Sewer Backups**

- Through regulation of **Village of Tompkins Bylaw 6-2014:**
- A gate valve or backwater valve shall be installed on every fixture drain connected to a building drain or a branch when the fixture is located below the level of the adjoining street
- This device, if properly installed and maintained can prevent sewer backup into the residence
- The install and maintenance is the owner's responsibility

## **HINTS**

- Do not flush anything down any drain that may clog the line.
- Do not dispose of oil or grease in any drain.
- Do not plant trees near the sewer lateral.
- Do not connect sump pumps into the sewer line, only connect to street
- Install a backwater prevention device.
- Owners should be aware that many insurance policies exclude damage from sewer backups. Check with your insurance provider to add this coverage.
- The Village will not pay for private plumbers work unless the Village directs that a plumber be contacted to solve the problem.