

# FAQ regarding: POSSIBLE ORDINANCE REQUIRING CERTIFIED INSPECTIONS

Listed below are some questions and suggestions we received in response to the March 2006 issue of the Mt. View Monitor's newsletter article entitled "Health and Safety Issue is in Your Hands". The article stated that the District in an effort to prevent sewer overflows is reviewing a possible ordinance that would require certified inspections of the sewer lateral line at sale of the property. The answers provided are not finalized as the District is continuing research this matter and are offered only as a draft response. We would like to thank the participants for their valuable time and feedback.

1. *Question: How much does it normally cost?*

Answer: Each lateral can have different conditions that may impact costs but it is anticipated that the average cost would be approximately \$250.

2. *Question: Isn't this what home inspectors already currently do?*

Answer: Most home inspectors do not currently provide inspections of sewer laterals. Flow might be checked by filling a bathtub and then draining it as the toilet is flushed and water is running in a sink. However, good flow does not indicate the absence of a break, or leak or other problem in the sewer lateral. A video inspection will better show problems or potential problems.

3. *Question: What is the extent of the problem in the District?*

Answer: In 2005, approximately 85% of the sanitary sewer overflows occurring in the District were related to private laterals. There is a higher potential for problems with older homes, particularly those built before 1950. These homes often have their original sewer laterals. Over time, these pipelines, can crack, become disjointed, experience displacement, and/or may be subjected to intrusion by tree roots, all of which can cause leakage and blockage. **The state is mandating that there be no sewer overflows.**

4. *Question: Who would pay for the testing if you made it a requirement of a real estate transaction? Seller or buyer?*

Answer: These types of decisions are negotiable and thus can be made by the seller and buyer. Home inspection and termite reports are also handled similarly.

5. *Question: What about all the other costs (inspection costs, repairs, damages, time, closing, etc) associated with selling a home?*

Answer: These types of decisions are made by the seller and buyer and would be negotiable. It might be possible to consider closing concurrently with repairs being done or planning completion within an approved period.

6. *Question: What is involved in the inspection?*

Answer: A licensed plumber capable of doing video inspections has specialized video equipment that can be inserted into the lateral pipe. This equipment begins video taping from the lateral to the sewer main. The inspection would confirm if the sanitary sewer lateral is serviceable (free of structural defects, cracks, breaks, or missing portions, and the grade shall be uniform without sags or offsets.)

7. *Question: What is the corrective action on the part of the affected party?*

Answer: A plumber can be called to clean the line using foaming agents or root-cutting tools to remove roots. If a break is found in the line the plumber can repair, replace or remediate the potential threat or problem.

8. *Question: How often should a homeowner check their sewer for good maintenance practices?*

Answer: Whenever a problem is suspected, the homeowner should certainly check their sewer. Ten years for sewers that have non-HDPE plastic and about 25 years for sewers that were built with HDPE plastic pipe might be intervals to check the sewer laterals.

9. *Question: What are some of the health and safety issues?*

Answer: Problems in side sewer laterals may cause overflows that can result in bad-smelling odors, property damage, and are a threat to health and the environment.

10. *Question: How do we plan to do it?*

Answer: This ordinance would be reviewed at the Board of Directors meeting. The Mt. View Sanitary District Board of Directors (BOD) is comprised of elected officials and their meetings are open to the public. Any actions taken by the BOD take place at a public hearing by the BOD. Regular board meetings are held on the second Thursday of every month at 6:30 P.M. at the Administration Building and Learning Center, 3800 Arthur Rd., Martinez, CA.

11. *Question: Does the rule cover "all" situations for sewer overflows?*

Answer: No, the proposed rule would impact those situations where the problem is lateral related. However, as stated above, the majority of the sanitary sewer overflows are lateral related and the District anticipates this would be a cost effective means to better protect the public from sewer lateral related overflows.

## Suggestions from the Community

"I just moved to Martinez in September and I just got your newsletter. I had a major problem with my sewer line that cost a lot of money and time. The line was 95% blocked and it was just a mess. It's a great thing to have the inspection. It would have saved me a lot of time and headache."

When replaced... backflow valves and other sanitary measures are valuable protection.

"... [B]uyers should have all the inspections they would like during a real estate transaction. And a sewer line inspection could be one that a buyer could choose to perform."

"The various cities can require any home over a certain age have the inspection and/or designate neighborhoods that must have them by a certain date.... There is no reason ... to hesitate to pass the law or rule you need. It just shouldn't be part of a real estate sale. There are other ways for enforcement."

This is best handled as a local entity issue.

"I think this is a great idea and hope that you will pursue mandating the inspection. I moved to Martinez 2+ years ago from Alameda where the ordinance is already in place. It is a health and safety issue and even though it has been an expense to me in the past, I think it is the right thing to do."

"ALTERNATIVE-1: Require an advisory notice from Mt. View be issued as a supplement to the purchase agreement for all properties sold in the District. The supplement would recommend that the buyer get a statement from the seller as to condition of the lateral and consider whether a certified inspection would be beneficial."

"ALTERNATIVE-2: Require the seller to provide a signed disclosure statement describing current condition of the lateral with details of any maintenance required during the previous five years."

"The lines should be checked. I am in favor of the measure."

The homeowner is responsible for clearing any blockage in the home's plumbing system or maintained lateral and for any resulting flooding damage to the structure. The homeowner is also responsible for damage occurring due to an improperly constructed lateral, including a lack of required backflow prevention devices or illegal hookups.