

**ORDINANCE NUMBER 1234 SUPPLEMENTAL
AMENDING CHAPTER 200, SEWERS, SECTION 200-33,
REGARDING THE RESPONSIBILITY FOR THE MAINTENANCE
AND REPAIR OF SEWER LATERALS
WITHIN THE CITY RIGHT OF WAY**

WHEREAS, Chapter 200 of the City of Stamford Code of Ordinances, "Sewers," is silent as to who bears responsibility for maintenance and repair of building laterals within the City right of way; and

WHEREAS, it has been determined that it is in the best interests of the residents of Stamford to specify in Chapter 200 of the City of Stamford Code of Ordinances, "Sewers," who bears responsibility for maintenance and repair of building laterals within the City right of way; and

WHEREAS, the Board of Representatives, in its deliberations, has determined that, consistent with the responsibility assumed by the City to control activity within the City right of way, the City should also bear responsibility for maintenance and repair of building laterals within the City right of way; and

WHEREAS, the WPCA, originally proposed reimbursement of some of the costs associated with lateral repair.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Chapter 200, Sewers, Article III, Water Pollution Control Authority; Use of System, Section 200-33, of the Code of Ordinances is hereby amended, as follows:

Sec. 200-33. Building Laterals and Connections.

- A. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, repair or disturb any public sewer or appurtenance thereof.
- B. The Executive Director of the WPCA shall establish criteria consistent with the provisions of section 200-33, herein, for connection to the public sewer system. Any person proposing a new discharge into the public sewer system or a substantial change in the volume or character of pollutants that are being discharged into the public sewer system shall notify the Executive Director at least 45 days prior to the proposed change or connection and must obtain approval from the Executive Director prior to such discharge. The Executive Director may waive the forty-five-day requirement in the case of an emergency. No discharge to a sanitary sewer shall be allowed without a permit or other authorization issued by the WPCA.
- C. Unless otherwise provided herein, connections to the public sewer system shall only be allowed from properties, buildings or facilities that are outside of the sewer avoidance area. Any connection from a property, building, or facility inside the sewer avoidance area shall be considered a private lateral, regardless of line ownership, responsibility or maintenance.
- D. In addition to any other approvals that may be required, connections to the public sewer system from facilities, or properties inside the sewer avoidance area shall require two-thirds approval of the Board of the WPCA, the approval of the Planning Board and a three-quarters approval of the Board of Representatives, which three-quarters shall not be less than two-thirds of the entire membership of the Board of Representatives.
 - (1) Before such approvals shall be granted, the applicant shall provide specifications regarding current and future properties, buildings, and facilities that shall be connected, the approximate square footage of such facilities, and the anticipated amount and nature of septic flow. No increase in the square footage or amount of wastewater flow, or material change in the nature of the wastewater flow, as determined by the Executive Director of the WPCA or the Board of the WPCA, shall be permitted without additional approval. No connection to any other properties, buildings, or facilities, building not included in such specifications shall be permitted without additional approval.
 - (2) Any violation of the use of a private lateral shall be remedied within 120 days after notice by the WPCA. If any violation is not remedied then, upon notice by the WPCA, the City of Stamford shall revoke any and all building, occupancy, zoning exception, or other permits pertaining to the use of the properties using the private lateral.
 - (3) Connections within the sewer avoidance area that exist prior to the enactment of this Chapter, including connections with the sewer system of the Town of Darien and the connection to Northeast School, shall not require approval for


continued operation. Further, the proposed connection to the Aquarion Water Treatment Plant at 149 Lakeside Drive shall not require approval for connection and operation. However, any material change in the amount or nature of wastewater flow of such connection, as determined by the Executive Director of the WPCA or the Board of the WPCA, shall require approval as provided herein.

- E. A person intending to connect a building drain from his property to the public sewer shall first obtain a permit to connect from the Chief Building Official and the WPCA. The application shall be made on forms provided by the Chief Building Official and the WPCA, and it shall be accompanied by a sketch or plan showing the proposed installation in sufficient detail to enable the Chief Building Official and the WPCA Executive Director or his or her designee to determine that the proposed installation meets the requirements of this regulation and other applicable specifications, codes and laws. The application shall be signed by the owner of the premises to be served or his authorized agent and by the qualified contractor who has been chosen to perform the work of installing and connecting the building drain to the public sewer. Upon approval of the application and plan, a permit shall be issued to have the work performed by the stated contractor. In the event that the premises change ownership before the work is completed, or if another contractor is chosen to perform or finish the work, the original permit shall become void, and a new permit must be obtained by the new parties in interest. No permit to connect shall be issued unless and until the WPCA issues an approval to discharge the waste. A permit to connect shall not be deemed to negate the need for a discharge permit.
- F. A connection to the public sewer shall be made only after said connection has been approved by the Chief Building Official of the City of Stamford in order to ensure that minimum standards of construction are met for the installation.
- G. Permits to connect to the public sewer may be revoked or annulled by the Executive Director of the WPCA for noncompliance with the criteria established in accordance with the provisions of Subsection B through and including E above and section 200-34 hereof. The Executive Director of the WPCA shall send notice of a revocation or annulment of a permit to the permittee by certified mail. The permittee may appeal such revocation or annulment to the Board of Directors in accordance with appeal and hearing procedures enacted by the WPCA.
- H. Existing building laterals may be used in connection with new buildings only when they are found, on examination and test by the Chief Building Official, to meet all requirements of this article.
- I. The size, slope, alignment, materials of construction of a building lateral and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench and connection of the building lateral to the public sewer shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the WPCA and the City of Stamford. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.
- J. The Chief Building Official shall copy the Executive Director of the WPCA on all permits and correspondences concerning connecting to the public sewer.
- K. The Executive Director of the WPCA shall have the power to reject any extension of the public sewer system, and any private sewer line or extension intended to discharge into the public sewer system.
- L. The property owner shall be responsible for maintaining the sanitary sewer building lateral from the building to its connection to the public sanitary sewer system, including both the lateral line segments located underneath private property and the lateral line segments located underneath the City right of way. The property owner shall be responsible for repairing the sanitary sewer building lateral from the building to the property line which includes the lateral line segments located underneath private property. The City shall be responsible for repairing the sanitary sewer building lateral from the property line to its connection to the public sanitary sewer, including the lateral line segments located underneath the City right of way, which includes but is not limited to City sidewalks, other public utilities, and roadways within the City right of way. No reimbursement of costs shall be made for initial investigation, maintenance, jetting or root cutting, excavation for repair or


replacement of the lateral pipe on private property, or landscaping on private property. Examples of maintenance items include but are not limited to the removal or clearing of grease buildup, food waste, personal hygiene products, or other consumer caused blockages. Notwithstanding the above, the property owner shall be responsible for reimbursing the City of Stamford for all costs associated with repair of the lateral line located between the property line and the public sanitary sewer if it is determined that the need for the repair results from the property owner's negligent or intentional acts or omissions. The anticipated costs of lateral repair by the city shall be included by the Board of Finance in setting the mill rates in the corresponding fiscal year for the tax districts that receive city garbage collection under § 137-2A.

M. Nothing herein shall be deemed to place liability on the City of Stamford for any property damage or personal injury that is consequential to a sewer building lateral that falls into disrepair.


Randall M. Skigen, President, and Annie M. Summerville, Clerk, do hereby certify that the foregoing Ordinance was approved by a Machine Vote of 27-5-3 by the 29th Board of Representatives at the Regular Board Meeting held on September 5, 2017.



Randall M. Skigen, President
Dated this 13th day of September, 2017



Annie M. Summerville, Clerk
Dated this 7th day of September, 2017



David R. Martin, Mayor, City of Stamford
Dated this 18th day of September, 2017

EFFECTIVE DATE: September 28 2017

cc: Mayor David R. Martin
Michael Handler, Director of Administration
Jay Fountain, Director of OPM
Ernie Orgera, Director of Operations
Thomas Madden, Director of Economic Development
Kathryn Emmett, Esq., Law Department
Ted Jankowski, Director of Public Safety, Health & Welfare
Donna Loglisci, Town Clerk
Richard Freedman, Chair, Board of Finance