

L. (1) Maintenance. 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 public right of way. Examples of maintenance items include but are not limited to: initial investigation of a building lateral line that is not in proper working order; jetting of a lateral line; root cutting; and, the removal or clearing of grease buildup, food waste, personal hygiene products, or other user-caused blockages.

(2) Repair. 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 of Stamford 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 public right of way, which includes but is not limited to City sidewalks, other public utilities, and roadways within the City right of way. The property owner may arrange for and pay for the repair work of the lateral line located between the property line and the public sanitary sewer only under the following conditions: a) if there is an emergency endangering health or safety; b) if the City agrees to let the property owner make such repairs; or c) if it is discovered, during a repair of the building lateral underneath private property, that the segment of the lateral underneath the public right of way is also in need of repair. If one or more of these conditions exists and the property owner arranges for and pays for the repair work of the lateral line located between the property line and the public sanitary sewer, the City of Stamford shall reimburse the property owner for reasonable costs associated with necessary repairs. Notwithstanding the above, the property owner, and not the City of Stamford, shall be responsible 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. There shall be no presumption of negligent or intentional conduct by the property owner, and the City of Stamford shall remain responsible to pay the reasonable costs of necessary repairs as set forth above unless the City can demonstrate to a reasonable degree of certainty that negligent or intentional acts or omissions by the property owner caused the need for the repair. If the City of Stamford begins repair work and subsequently can demonstrate to a reasonable degree of certainty that negligent or intentional acts or omissions by the property owner caused the need for the repair, the City shall be entitled to take all lawful means to recover from the property owner the costs associated with said repair work. No reimbursement by the City of Stamford of costs shall be made under any circumstances for excavation for repair or replacement of the lateral pipe on private property, or for landscaping on private property.

(3) If the City of Stamford deems it necessary for the protection of public health or safety that a segment of sewer lateral line located between the property line and the public sanitary sewer be repaired, and if the need for the repair results from the property owner's negligent or intentional acts or omissions, and if the property owner is unwilling or unable to repair the line,

the City may cause the line to be repaired and may use all lawful means to recover the costs of repair from the property owner.

(4) If the need for the repair of a segment of sewer lateral line located between the property line and the public sanitary sewer is the result of the negligent or intentional acts or omissions of a third party, the City of Stamford shall perform the repair pursuant to subsection (2) above and shall thereafter take all lawful action to recover the costs of said repair from the responsible third party.

(5) 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.

(6) The anticipated costs of sanitary sewer building lateral repair by the City of Stamford 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 of the Code of Ordinances.