



# ***Private Lateral Repair Program***

## ***What is a private sewer lateral?***

A private sewer lateral is an underground pipe that is part of your home's plumbing. It conveys wastewater or storm water from your property to SD1's public sewer system. As a private property owner, you own your lateral from the end of the building's plumbing to the connection with SD1's sewer. You are responsible for maintaining your lateral, just like other pipes in and around your property.

## ***What is the purpose of SD1's private lateral repair program?***

When private sewer laterals deteriorate, they can affect community services, public health and safety by causing sinkholes, destabilizing nearby structures and leading to sewer overflows and backups. When these laterals run beneath roadways, repairs can be cost prohibitive to the private property owners responsible for them. To assist property owners in addressing this issue in a timely and affordable way, SD1 funds a private sewer lateral repair program. The program will allow SD1 to perform work on defective private sewer laterals beneath public roadways that may be contributing to a visible pavement failure, building backup or sewer overflow.

## ***What is the responsibility of private property owners?***

Private property owners are responsible for maintaining their private sewer laterals, just as they are responsible for the pipes inside their home. As a result, SD1 is not responsible for investigating or demonstrating the cause of roadway failures, sewer backups or sewer overflows resulting from a damaged or faulty lateral. The private property owner must investigate and demonstrate that such a problem is due to a lateral defect beneath the public roadway before SD1 will perform the necessary lateral repair work. Private property owners remain responsible for repairing any lateral damage that does not fall under the public roadway and for any damage to private property caused by a defective lateral, regardless of where the defect is located.

## ***What are the signs of a defective lateral?***

If your home is experiencing blockages or sewer backups, or if sewage is overflowing into the environment, your private lateral may be defective. Sinkholes also can be a sign of defective laterals.

## ***What should you do if you suspect your sewer lateral is defective?***

If you suspect a defect in your sewer lateral is contributing to a visible pavement failure, a building backup or a sewer overflow, you should call SD1 at 859-578-7450. If SD1 determines the issue is not related to the public sewer line, you will need to call a licensed plumber to investigate your private sewer lateral. If the plumber determines the defect is in the lateral below the public roadway, the following requirements must be met in order for SD1 to perform services through our lateral repair program:

- You must provide SD1 with conclusive evidence, including a plumber's video recording, showing that the problem is below the public roadway and cannot be fixed through routine maintenance. Routine maintenance issues, including root or grease obstructions

or removable blockage, remain the responsibility of the private property owner. Video evidence must clearly show the cause of the sewer lateral malfunction.

- Your plumber must locate the problem using a “locating device” and clearly mark the location on the surface of the roadway with spray paint or another appropriate material. Merely measuring the distance to the problem will not suffice.
- Before SD1 will perform any work, the private property owner must sign an agreement holding SD1 harmless from any litigation resulting from the lateral repair project.

If you are able to demonstrate that the lateral defect is located beneath the public roadway and cannot be corrected through routine maintenance, you should call SD1’s Debbie Rizzo at 859-578-6746 to request service through the lateral repair program.

### ***What is SD1’s role in the program?***

SD1’s role in this program is limited to the repair of the private sewer lateral under the public roadway. SD1 also will restore the affected public roadway and any curbs, sidewalks and drive aprons disturbed through SD1’s lateral repair work.

### ***What is the role of participating public roadway owners?***

In order for residents to benefit from SD1’s private lateral repair program, the public roadway owner (the city, county or the Kentucky Transportation Cabinet) must have entered into an interlocal agreement with SD1.

### ***How are private sewer lateral repairs prioritized?***

Funding for this program is determined during SD1’s regular budgeting process. Once the budgeted funds run out, SD1 will perform no further repairs to private sewer laterals until additional funds are allocated in the next annual budget.

Because funds are limited, SD1 also will prioritize projects based on the impact to public health and safety rather than on a first-come, first-serve basis. Factors SD1 may consider when prioritizing repairs include the presence and severity of building backups, sewer overflows and sinkholes. SD1 may also consider the traffic count of affected roadways.

### ***If you have questions, whom should you contact?***

If you have any questions regarding this program, please contact Debbie Rizzo by phone at 859-578-6746 or by email at [drizzo@sd1.org](mailto:drizzo@sd1.org) during normal business hours, Monday through Friday, 8 a.m. to 4:30 p.m.

Thank you for your cooperation and support as we work to protect public health, property and the environment by providing reliable wastewater and storm water services.

**ACKNOWLEDGMENT OF RECEIPT OF INFORMATION AND INDEMNIFICATION**

**A.** \_\_\_\_\_ is the owner of property located at \_\_\_\_\_ (“Owner”).

**B.** Owner has been informed by Sanitation District No. 1, a sanitation district organized pursuant to Kentucky Revised Statute Chapter 220, whose mailing address is 1045 Eaton Drive, Ft. Wright, Kenton County, Kentucky 41017 (“SD1”), that SD1 or its contractor(s) will be performing repair work on a damaged sewer lateral within the “public roadway” adjacent to Owner’s property. This repair will be performed in accordance with SD1’s Private Sewer Lateral Repair Program as amended and adopted by SD1’s Board of Directors at its June 21, 2016 meeting (the “Policy”).

**C.** The “public roadway” is defined as the public road from edge of pavement to edge of pavement, including the abutting street curb. Pursuant to the Policy, SD1 will repair structural problems of private laterals from the public sewer to the edge of the public roadway at no cost to the property owner(s).

**D.** Necessary work to locate and repair the damaged lateral may extend beyond the “public roadway.” Property owner(s) are responsible for 100% of the costs associated with locating and repairing private laterals outside the public roadway and will need to coordinate this work, if necessary, with their independent contractor.

**E.** In consideration for SD1’s work provided in accordance with the Private Sewer Lateral Repair Program, the Property Owner shall defend, indemnify and hold harmless SD1, its directors, officers, agents and employees from and against any and all claims, demands, investigations, suits, actions, damages, and liabilities of every kind or nature which in any way arise from or are related to work performed on the Private Owner’s property and the Public Roadway.

**F.** Owner has been informed by SD1 that failure to make necessary repairs to a damaged lateral may result in sewage backing up into Owner’s property.

I hereby acknowledge that I have read and understood the above statements and I understand and accept the risks involved.

\_\_\_\_\_

**Printed Name - “Owner”**

**Date:** \_\_\_\_\_

**Witnessed By:** \_\_\_\_\_

\_\_\_\_\_

**Printed Name – “Witness”**