

**Ordinance No. 61-06 N.S.**

**An Ordinance of the City Council of the City of Richmond Revising Chapter 12.17 of the Richmond Municipal Code relating to Sanitary Sewer Connections**

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The Council of the City of Richmond does ordain as follows:

**Section I. Amendment of Chapter 12.17.**

Chapter 12.17 of the Richmond Municipal Code is hereby amended by deleting those terms shown in strikethrough text and adding those terms shown in underlined text, as follows:

**Chapter 12.17**

**~~PRIVATE SANITARY SEWER LATERAL CONNECTIONS~~**

- ~~12.17.010 Definitions~~
- ~~12.17.020 Sewer connections required~~
- ~~12.17.030 Property owner's responsibility for lateral repairs and maintenance~~
- ~~12.17.040 Connections required for every separate lot~~
- ~~12.17.050 Backflow valve or overflow device required~~
- ~~12.17.060 Illegal sewer connections~~
- ~~12.17.070 Right of entry~~
- ~~12.17.080 Notices to make connections~~
- ~~12.17.090 Payment of assessments, annual installments, interest~~
- ~~12.17.100 Connections to be made without damage to streets~~
- ~~12.17.110 General requirement lateral testing~~
- ~~12.17.120 Lateral testing upon sale~~
- ~~12.17.130 Private sewer lateral testing procedure and requirements~~
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- ~~12.17.170 Plumbing Elevation~~
- ~~12.17.180 Application of Standard Specifications~~
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- ~~12.17.200 Other regulatory considerations~~
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- 12.17.010 Definitions
- 12.17.020 Sewer Connections Required
- 12.17.030 Connections To Be Made Without Damage to Streets
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- 12.17.090 Persons Authorized to Perform Work
- 12.17.100 Other Regulatory Considerations
- 12.17.110 Nuisance Conditions
- 12.17.120 Right of Entry
- 12.17.130 Citation Penalties

**12.17.010 Definitions**

The following ~~terms~~definitions apply to this ~~Chapter.~~ ~~chapter and augment definitions found~~ Terms not defined in this Section shall have their ordinary and common meaning or, if applicable, the meaning set forth in the Uniform Plumbing Code:

- (a) *“Backflow Valve”* shall mean a ~~backflow~~-valve that is opened by the flow of sewage exiting ~~the house-~~ a structure but closes when the flow reverses, preventing sewage from backing into the ~~dwelling structure.,~~ or any device that allows liquids to flow in only one direction in a pipe. All

~~backflow prevention valves require the approval of the City Engineer for proper application before their installation shall conform to the specifications set forth in the Uniform Plumbing Code and all guidelines and policies established by the City Engineer to implement this Chapter.~~

- (b) “Building sewer” shall have the same meaning as “lateral,” defined below.
- (c) “Certificate of Lateral Compliance” shall mean the certificate issued by the City Engineer certifying that a lateral complies with the standards set forth in this Chapter. A fee for a Certificate of Compliance shall be charged in accordance with the City’s rate and fee schedule. A Certificate of Compliance is valid only for the lateral at the address specified in the Certificate and for a period of fifteen (15) years.
- (d) “City authorized representative” shall mean the City Engineer or his or her designee, a city employee designated in writing by the City Engineer to sign certificates of inspection for the purpose of sewer lateral inspections.
- (e) “City of Richmond” or “City” for the purposes of this code chapters shall also shall mean the City of Richmond and shall include Richmond Municipal Sewer District Number 1.
- (f) “City’s fee and rate schedule” shall mean a list of all city City of Richmond service, penalty, interest, and permit fees, and hourly personnel and equipment rates, as amended from time to time.
- (g) “Cleanout” shall mean a segment of pipe connected to a sewer lateral and rising to the surface, providing access to the lateral for purposes of inspection and removal of obstructions. (See also “two-way cleanout,” defined below.)
- (h) “Commercial building” shall mean any building designed for use as or used for commercial purposes. in the commercially zoned area in the City.
- (f) ~~“Cleanout” shall mean a segment of pipe connected to a sewer lateral rising vertically to the surface. Cleanout shall also provide access to the lateral for purposes of routine flushing and rodding to free plugs.~~
- (i) “Lateral,” “building sewer,” or “service lateral” shall mean the sewer pipeline conveying wastewater from the premises of a user to the City’s sewer system.
- (j) “Main” or “sewer main” shall mean any sewer pipe within a public or private street or right-of-way receiving or intended to receive the discharges of one or more sewer lateral(s). No sewer main constructed after the effective date of this Chapter shall be less than eight inches (8”) in diameter nor be laid or constructed in any city street, easement or right-of-way under the control of the City, except to the lines, grades, and specifications approved by the City Engineer.
- (k) “Maintenance” shall mean routine flushing or rodding of a sewer to maintain a free flowing condition.
- (l) “Overflow device” shall mean a device designed to relieve the pressure created when a gravity sewer is flowing full. All overflow devices require the approval of the City Engineer for proper application before their installation.
- (m) “Person” shall mean any individual, partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representative, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by context.
- (n) “Plumbing fixtures” shall mean sinks, baths, showers, toilets, bidets, and all fixtures and appliances, such as dishwashers and washing machines, from which water or wastewater are discharged.
- (o) “Private sewer main system” shall mean a main on private property that connects to the City’s sanitary sewer system. A private sewer main shall meet the same standards as a lateral and is subject to all lateral testing, certification and enforcement provisions of this Chapter. a sewer or system of sewers serving more than one building that is not owned by the city.

- (p) “*Repair*” shall mean physical exposure of a section of pipe and/or appurtenances ~~and~~ for the purpose of resuming proper operating condition.
- (q) “*Replacement*” shall mean removal and replacement of existing pipe and/or appurtenances.
- (r) “*Sanitary sewer system*” shall have the same meaning as “*publicly owned treatment works*” as that term is defined at Richmond Municipal Code Section 12.18.020. ~~a pipe or conduit which carries sanitary sewage and to which stormwater and ground waters are not admitted.~~
- (s) “*Service lateral*” shall have the same meaning as “*lateral*,” defined above.
- (t) “*Sewage*” shall mean water carrying wastes from residences, business buildings, institutions and industrial establishments, together with such other waters as may be present, or any combination of such wastes and water. ~~water or combination of liquid and water carried solid, bio-solids or semi-solid waste conducted away from any dwellings, residences, business buildings, institutions, unit, firm, association, organization, public corporation, political subdivision (including the City of Richmond), county, or district; or the State of California; or the United States of America, or any department or agency thereof and other sources, which is known as domestic sewage, together with liquid or water carried solid or semi-solid wastes resulting from a manufacturing process employed in industrial establishments, including the washing, cleaning or drain water from such process, which is known as industrial waste.~~
- (u) “*Sewer facilities*” shall mean and include the sanitary and storm sewage collection systems owned and operated by the City, all appurtenances thereto, and all portions thereof.
- ~~(e) “*Sewer lateral*” or “*lateral*” shall mean a sewer pipe that conveys sewage from plumbing of building or structure to a City maintained sewer main, also referred to as “building sewer” in the Uniform Plumbing Code.~~
- ~~(p) “*Sewer*” or “*sewer main*,” when used herein, means any city owned sewer pipe within a city street or public right-of-way receiving or intended to receive the discharges of more than one sewer lateral. No sewer main constructed henceforth shall be less than eight inches in diameter nor be laid or constructed in any city street, easement or right-of-way or street, easement or right-of-way under the control of the city, except to the lines, grades, and specifications approved by the City Engineer.~~
- (v) “*Storm sewer*” or “*storm drain*” shall mean a pipe or conduit which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- (w) “*Subdivider*” shall mean ~~a person, firm, corporation, partnership or association which causes to cause land to be divided into separate developed or developable lots that are or may be owned by different persons.~~ a subdivision for person, firm, corporation, partnership or association, or for others.
- (x) “*Two-way cleanout*” shall mean a “Y”- or “V”-shaped segment of pipe connected to a sewer lateral and rising to the surface, providing access to the lateral in both directions for purposes of inspection and removal of obstructions.
- (y) “*User*” shall mean and include any person who causes or permits a discharge of sewage into the City’s sanitary sewer system. ~~dwelling, unit, firm, association, organization, public corporation, political subdivision (including the City of Richmond), county, district, the State of California, or the United States of America, or any department or agency thereof.~~
- (z) “*Wastewater*” shall have the meaning set forth at Richmond Municipal Code Section 12.18.020.

### **12.17.020 Sewer Connections Required**

Property owners shall provide connections to the sanitary sewer system in accordance with Richmond Municipal Code Sections 12.16.010 and 12.16.020, as those sections may be amended from time to time. All property owners owning or controlling property facing upon any of the streets or avenues of the City of Richmond shall lay or cause to be laid all necessary sewer connections with the mains.

### **12.17.030~~100~~ Connections To Be Made Without Damage To Streets**

~~All sewers and sewer connections to the City's sanitary sewer system shall be laid so that house connections can be made without damaging the surface of any improved street unless the City Engineer grants a permit to remove and replace street paving. Thereafter, before any person shall be given a permit by the City Engineer to alter or remove the surface dressing of any improved street, To obtain such a permit, the applicant shall furnish the City Engineer with a bond with two sufficient sureties in an amount set forth in the City's fee and rate schedule shall be given to the City Engineer. The bond shall guarantee that the condition of the altered permit holder will restore the street surface to a serviceable condition as good or better than the condition of the street prior to resurfacing. will be condition as before the removal of the surface dressing and the property owner shall be held responsible for a period of one year to keep the part of the street so removed in good condition and good repair.~~

**12.17.040030 Property owner's responsibility for lateral repairs and maintenance Standards for Sewer Laterals and Appurtenant Facilities**

- (a) ~~It shall be the responsibility of the property owner to~~ Every property owner shall perform all required maintenance and to keep the lateral(s) and private sewer main(s), if any, connecting the premises on his or her property to the City's sanitary sewer system in good condition, as defined by this chapter. For the purpose of this requirement any sewer lateral on private property (e.g.; rear yards and side yards) shall be considered as a lateral and is to be connected to the City's sewer main.
- (b) ~~The building sewer must be maintained to~~ Every lateral shall meet the following minimum requirements:
- (i) ~~The sanitary sewer lateral~~ It shall be kept free from roots, grease deposits, and other solids which may impede the flow or obstruct the transmission of waste.
  - (ii) All joints shall be tight and all pipes shall be sound and free from structural defects, cracks, breaks, openings, and missing portions to prevent ex-filtration by waste or infiltration by ground water or storm water.
  - (iii) ~~The sanitary sewer lateral shall be free of any structural defects, cracks, breaks, or missing portions and the~~ The grade of every lateral shall be uniform without sags or offsets.
  - (iv) ~~The sanitary sewer lateral~~ It shall have a two-way cleanout located at or near the property line or at or near the sewer main easement. All cleanouts shall be securely capped with a proper cap at all times. The sanitary sewer lateral shall be free from breaks, openings, and rat holes.
  - (v) It shall be equipped with a backflow valve or overflow device.
  - (vi) In conjunction with a lateral serving a structure in which there are plumbing fixtures at an elevation too low to permit drainage by gravity from the fixtures to the sewer main, the property owner shall install and maintain a pump or other appropriate device or devices to lift the contents of the sewer lateral to the City's sanitary sewer system. Such devices shall be installed and maintained in accordance with the Uniform Building and Plumbing Codes and all applicable provisions of the Richmond Municipal Code, and shall be subject to testing, repair and replacement under the provisions of this Chapter governing sewer laterals.

~~(b) Compliance:~~

- ~~(1) The property owner's compliance with required repairs and maintenance of laterals shall be as set forth herein and by any implementing policy established by the City Engineer, and by the City's "Sanitary Sewer Lateral Compliance Plan" adopted by the City Council pursuant to this chapter.~~
- ~~(2) The property owner shall obtain a Certificate of Lateral Compliance from the City Engineer prior to the sale of any property from which a sewer lateral is connected to the City maintained sanitary sewer system.~~

- ~~(3) As a condition of the issuance of a building permit for construction which exceeds one percent (1%) of the existing value of the structure(s), based on the building valuation schedule of the Building Codes, the property owner shall obtain a Certification of Lateral Compliance from the City Engineer prior to final building regulation inspection.~~
- ~~(4) The property owner shall obtain a Certification of Lateral Compliance from the City Engineer which verifies that the property owner has installed, or upgraded to, a two (2) way cast iron cleanout for testing purposes.~~
- ~~(5) The City Engineer shall determine the criteria and acceptable methods of evaluating building sewers to ensure compliance with the above requirements.~~

#### **12.17.050 Lateral Testing Requirements**

- (a) All testing procedures must be approved by the City Engineer, or his or her designee, and performed in accordance with approved procedures. Results of all lateral tests shall be filed with the City Engineer. If, after testing, a property owner agrees to undertake specific repairs or replacements to bring a lateral into compliance with the provisions of this Chapter, the statement of test results shall specify the repairs or replacements to be completed before retesting; shall state, "The property owner agrees to complete the above repairs and/or replacements and retest the subject lateral(s) in accordance with Richmond Municipal Code Chapter 12.17"; and shall be signed by the property owner.
- (b) Laterals for all multi-unit residential buildings, all commercial buildings and all industrial facilities in the City of Richmond and all private sewer mains that connect to the City's sanitary sewer system shall be tested within one (1) year of the effective date of this Chapter and shall be repaired or replaced as necessary to ensure compliance with the standards set forth in this Chapter.
- (c) Whenever title to property located in the City of Richmond is transferred, and the property includes buildings or structures that discharge into a sanitary sewer system, the sewer lateral(s) to the property shall be tested for compliance with the standards set forth in this Chapter. Before title is transferred, all repairs or replacements necessary to bring a lateral into compliance shall be performed. A seller shall disclose to prospective purchasers the requirements of this Chapter and the compliance status of the subject property. This subsection shall not apply to transfer of title to:
  - (i) An individual unit in a multi-unit building served by a single lateral.
  - (ii) A property for which there is a valid Certificate of Lateral Compliance.
  - (iii) A property located in the City of Richmond but served by a sanitary sewer service provider that has a lateral maintenance, inspection and repair program in place.
- (d) Whenever property located in the City of Richmond and containing one or more structures is subdivided, the sewer lateral(s) serving the property shall be tested. Before the subdivision is approved, all repairs or replacements necessary to bring a lateral into compliance shall be performed. If the subdivision of land causes structures served by a single lateral to be separated onto different lots, laterals for each lot on which there is a structure shall be constructed in accordance with the Uniform Building and Plumbing Codes and all applicable provisions of the Richmond Municipal Code.
- (e) Whenever property located in the City of Richmond is remodeled to include the addition of two or more plumbing fixtures that discharge into a sanitary sewer system, the sewer lateral(s) to the property shall be tested. Before final building inspection, all repairs or replacements necessary to bring a lateral into compliance shall be performed.
- (f) The City Engineer reserves the right to notify any owner of property for which there is not a valid Certificate of Lateral Compliance on file that the City shall conduct a random test of the property's sewer lateral in accordance with Richmond Municipal Code Section 12.17.120 and shall notify the property owner of and require the property owner to correct any conditions that do not comply with this Chapter.

### **12.17.060140 Failure Of Test**

Should a lateral fail the test, the lateral shall be ~~either~~ repaired or replaced, as necessary and in accordance with the Uniform Building and Plumbing Codes and all applicable provisions of the Richmond Municipal Code, and then retested. ~~A plumbing permit shall be required in order to perform the necessary repairs or replacement.~~ This process shall continue until the lateral passes the required test.

### **12.17.070150 Lateral Certification**

Once the lateral has ~~successfully~~ passed the testing procedure and upon payment of the appropriate fee as published in the City's fee and rate schedule, the City Engineer, or ~~said City Engineer's~~ his or her designee, shall issue a signed Certificate of Lateral Compliance to the property owner specifying the address of the property served by the subject lateral. A Certificate of Lateral Compliance shall be valid for fifteen (15) years and shall be valid only for the lateral at the address specified in the Certificate. The City Engineer shall maintain records of all Certificates of Lateral Compliance issued.

### **12.17.080 Notices To Correct Violations~~Make Connections~~**

- (a) ~~It shall be the duty of the~~ If the City Engineer of the City of Richmond ~~to receives~~ notice that a lateral does not meet the standards set forth in this Chapter and the property owner has not agreed in writing to perform the repairs or replacements necessary to bring the lateral into compliance, then the City Engineer shall give written notice to the property owner of any conditions that violate this Chapter. Such notice shall specify the repair or replacement necessary to correct the condition and the time in which to make the correction, and shall advise the property owner of the enforcement provisions of this Chapter. , or their agents if known, and to the occupant of the property, if any, specifying that the sewer connection repair shall be made by means of the initial installation or repair of the illegal lateral. If the owners or their agents are not known and if there are no occupants, the City Engineer shall post said notice conspicuously on said property. Said notice shall briefly describe the work required, referring to this chapter, and shall contain a notification to the effect that, unless said work is done within ten days, the City Engineer will do the same, and that the costs and expenses will be charged against, and made a lien upon, the said property. If said work is not done within ten (10) days after the service and posting of said notice, it shall be the duty of the City Engineer forthwith to proceed to do the same.
- (b) ~~The City Engineer shall keep a record of said notices. He shall also keep a separate record of the work done upon each piece, parcel or lot of land, and the costs and expenses of the same. After the completion of the work, said City Engineer shall cause an itemized bill of the expenses to be mailed to the property owner.~~

### **12.17.090160 Persons Authorized To Perform Work**

Only contractors licensed by the state shall be authorized to construct or repair ~~private sewage~~ laterals and mains.

### **12.17.100200 Other Regulatory Considerations**

- (a) The Uniform Building and Plumbing eCodes and other applicable regulations adopted by the City of Richmond shall govern the construction of private lateral and repair of laterals and mains.
- (b) The City Engineer shall establish guidelines and policies for implementing and enforcing this Chapter.
- (c) If property located in the City of Richmond is served by a sanitary sewer service provider other than the City of Richmond and that service provider has a lateral maintenance, inspection and repair program in place, the property shall be subject to the regulations and standards of the service provider. If property located in the City of Richmond is served by a sanitary sewer service provider that does not have a lateral maintenance, inspection and repair program in place, the property is subject to the requirements of this Chapter.

### **12.17.110060 ~~Illegal Sewer Connections~~ Nuisance Conditions**

All sewer laterals or sewer clean-outs which contain leaks or breaks; uncapped or improperly capped sewer clean-outs; sump pumps; down spouts or yard drains which discharge into the City's sanitary sewer system; and all other sources of accidental, negligent or intended introduction of storm water run off or similar waters into the sanitary sewer system are hereby declared to be a public nuisance, subject to abatement in accordance with Richmond Municipal Code Chapter 9.22 if, after being notified of the nuisance condition, the property owner fails to correct the condition. If the City of Richmond abates a sewer-related public nuisance, the costs of such abatement shall be assessed against the subject property owner and may result in a lien against the subject property in accordance with Richmond Municipal Code Sections 12.16.050 and 12.16.060. If such a condition exists, it shall be abated by the owner of the property, who is hereby required to remove or correct such improper sewer connections.

### **12.17.12070 Right of Entry**

The City Engineer, or ~~said City Engineer's~~ his or her designee, may enter, inspect, collect wastewater samples, and test any buildings, structures, or premises to secure compliance or prevent a violation of any portion of this ~~chapter~~ Chapter. Unless there is an emergency threatening the public health, safety or welfare, the City Engineer shall provide at least ten (10) business days notice to the property owner of intent to enter upon property. The City Engineer may also request that a property owner provide all written records of lateral inspection, maintenance, repair and replacement at the time of inspection or within ten (10) or more business days after receipt of the request. ~~The City Engineer, or said City Engineer's designee, shall also be authorized to review repair/maintenance records. No premises shall be entered until a ten (10) business day written notice is given to the property owner or said owner's agent, except to protect life or public safety.~~

### **12.17.13040 Citation Penalties**

In addition to, or in lieu of, the remedies set forth ~~in this Chapter~~ above, any violation of this chapter may result in the issuance of an administrative citation pursuant to ~~the provisions of Richmond Municipal Code Chapter 2.62 of this Municipal Code.~~

### **12.17.040 Connections required for every separate lot**

- (a) ~~Every separate lot of twenty five feet or more or any two lots adjoining shall be connected with the City sewer main.~~
- (b) ~~Every building or structure with plumbing fixtures requiring drainage on a property must have its own lateral connected to the City's main. When any repairs or replacements are done to those laterals that are jointly shared by more than one building or structure from different properties, each shall require a discrete connection to the City's sanitary sewer main as part of the repair. If a property with two buildings or structures with plumbing fixtures requiring drainage is subdivided, each building or structure shall be required to have a discrete connection to the City's sanitary sewer main as a condition of subdividing.~~

### **12.17.050 Backflow valve or overflow device required**

~~When any repairs are done to a lateral that does not have an existing backflow valve or overflow device, the property owner shall install the appropriate valve or device. It shall be the responsibility of the property owner to maintain the backflow valve or overflow device in proper operating condition. If the condition of either the backflow valve or the overflow device becomes irreparable, said valve or device shall be replaced by the property owner.~~

### **12.17.090 Payment of assessments, annual installments, interest**

- (a) ~~On a periodic basis as determined by the City Engineer, said City Engineer shall prepare and file with the City Clerk a report and assessment list which identifies all real property at which sewer lateral work was done by the City pursuant to this chapter and for which the owner has not fully reimbursed the City within 30 days of the date of billing. The report and assessment list shall provide a description of the real property at which the work was performed, the expenses incurred by the City, and the names and addresses of the persons entitled to notice.~~

- (b) ~~Upon receipt of the report, the City Clerk shall post a notice of filing of the report in a conspicuous place in City Hall, with said notice specifying the filing date of the report and assessment list and the time and place when and where the report and assessment list will be submitted to the City Council for hearing and confirmation. The City Clerk shall also mail by first class mail a notice to each property owner identified in the report and assessment. Said notice shall provide a description of the real property at which the work was performed, and the expenses incurred by the City in performing the work and shall notify the owner that said costs shall be assessed against the owner of the property unless objection is made by the owner in writing and submitted to the City Clerk at least two days before the hearing. Said notice shall also specify the time and place when and where the proposed assessment will be presented to the City Council for hearing and confirmation. The notice shall be mailed at least ten (10) days prior to the date of said hearing.~~
- (c) ~~Any owner who objects to the proposed assessment and who desires to challenge the proposed assessment at the City Council hearing must submit any and all objections in writing to the City Clerk at least two days prior to the date of hearing. The failure of any owner to submit objections to the City Clerk shall constitute a waiver of any such objection.~~
- (d) ~~At the time and place fixed for hearing and confirming the proposed assessments, the City Council shall hear the same. At such hearing, only those persons who have submitted written objections to the City Clerk will be heard by the Council. At said hearing, the City Council may correct, modify or eliminate any proposed assessment which it may deem excessive or otherwise incorrect. Thereafter, by vote and resolution, the Council shall confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order that an assessment be made a personal obligation of the owner or, alternatively, assess it against the property. If the Council orders that an assessment be charged as a personal obligation of the property owner, it shall direct appropriate City personnel to collect the same by use of all appropriate legal remedies. If the Council orders that an assessment be assessed against the property, it shall direct that the same be recorded on the tax assessment roll and thereafter said assessment shall constitute a special assessment and lien against the property. The special assessment and lien shall be subject to the same penalties as are provided for other delinquent taxes or assessments of the City.~~
- (e) ~~The payment of any assessments of four hundred (\$400.00) dollars or more upon a single family residence may be made in annual installments, not to exceed five (5); the payment of assessments so deferred shall bear interest on the unpaid balance at the statutory rate of interest as prescribed by the State. Said interest shall begin to accrue on the 31st day after the confirmation of the assessments.~~

#### **12.17.110 General requirement for lateral testing**

~~Within three (3) years of the final passage of this chapter, all private sewer laterals constructed in the City of Richmond prior to August 1, 1991, shall be tested by the property owner, and shall be tested, at a minimum, every twenty five (25) years thereafter in conjunction with the requirements of this chapter. If the property owner does not meet the timeline of this requirement, the procedures for a notice to conduct lateral testing will be the same as set forth in this chapter.~~

#### **12.17.120 Lateral testing upon sale**

- (a) ~~Whenever any property located in the City of Richmond is to be transferred to or vested in any other person or entity by deed, instrument or writing, by which any lands are sold, granted, assigned, transferred or otherwise conveyed to, or vested in, a purchaser or purchasers thereof, or to any other person or persons, and the property includes any buildings or structures constructed more than fifteen (15) years prior to the sale of the property, the sewer lateral(s) to the property shall be tested for infiltration all necessary repairs or replacements shall be performed to prevent all infiltration. All testing procedures must be approved by the City Engineer, or authorized representative, and all repair or replacement work shall be completed and approved by the City prior to transfer of title. The property owner shall retain the inspection card, signed by a City authorized representative as approved, as proof of compliance.~~
- (b) ~~Exceptions. This section shall not apply:~~

- ~~(1) Condominium or cooperative apartment buildings~~
- ~~(2) To all buildings where the City Engineer, or said City Engineer's authorized representative, determines that testing and/or repairs have been performed to City standards within the last five (5) years~~

**12.17.130 Private sewer lateral testing procedure and requirements**

The property owner or his/her appointed contractor shall obtain a lateral inspection form in addition to a plumbing permit for sewer lateral testing prior to commencing with the testing procedure. The test procedure shall be performed as follows:

- ~~(a) Each lateral is to have a two way cast iron clean out, as approved by the City Engineer, located in the City right of way, on private property adjacent to the City right of way, or on a Public Utility Easement. If one does not exist, a clean out shall be installed prior to performing any testing. Installation of the clean out, if necessary, shall require a plumbing permit; shall be run to grade and covered/capped by a meter box and lid as approved by the City Engineer. A clean-out located adjacent to (within 30" inches of) the building is required by the Uniform Plumbing Code for any new construction and is required by this chapter.~~
- ~~(b) Testing may be accomplished by either a water ex-filtration test, an air test, or by a Closed Circuit Video recording observation.~~
  - ~~(1) A Water Ex-filtration Test will be conducted according to the standard specification on record with the City Engineer. If there is any fixture inside the structure lower than the testing water level, the property owner shall have to either plug the fixture or the lateral at the building. An approved backflow valve must be installed if there are any plumbing fixtures whose level is below the City clean-out. A plumbing permit is required for this work in addition to the lateral inspection permit.~~
  - ~~(2) Air testing shall be conducted according to the standard specification on record with the City Engineer.~~
  - ~~(3) Closed Circuit Video records may be used as an initial observation and evaluation grading test conducted according to the standard specifications on record with the City Engineer.~~

**12.17.170 Plumbing Elevation**

In all buildings in which there are plumbing fixtures at an elevation too low to permit drainage by gravity from the fixtures to the sewer main, the sewage from the buildings shall be lifted and discharged to the City's sewer system by pumps or other appropriate wastewater facilities, which shall be the responsibility of the property owner.

**12.17.180 Application of Standard Specifications**

The City's standard specifications shall control in any case where they apply except as follows:

- ~~(a) The standard specifications are in conflict with the provisions of this code, in which case the provision of this code shall control; and~~
- ~~(b) For good cause, the City Engineer has authorized deviation from the standard specifications.~~

If the action required by the standard specifications in a particular case is unclear, the City Engineer shall make the determination.

**12.17.190 Condominium and Cooperative Apartment Buildings**

- ~~(a) Within one (1) year of the final passage of this chapter, all condominium or cooperative apartment buildings constructed prior to August 1, 1996, shall be tested and the sewer lateral(s)~~

~~servicing said building(s) shall be certified. Thereafter, retesting and certification of the lateral(s) shall occur at ten (10) year intervals.~~

~~(b) Exception: This paragraph shall not apply to condominiums and cooperative apartment buildings where the City Engineer, or said City Engineer's designee, determines that testing and replacement of lateral(s) has been performed to City standards within the last ten (10) years.~~

~~(c) Testing Procedure and Requirements. All condominiums and cooperative apartment buildings shall be required to comply with the testing procedures set forth in section 12.17.130 of this chapter.~~

**Section II. Severability.**

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph sentence clause or phrase.

**Section III. Effective Date.**

This ordinance shall take effect thirty (30) days following its adoption.

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Introduced at a regular meeting of the City Council on October 17, 2006, and passed and adopted at a meeting of the City Council held on November 14, 2006, by the following vote:

- AYES: Councilmembers Bates, Butt, Griffin, Marquez, McLaughlin, Rogers, Thurmond and Vice Mayor Viramontes
- NOES: None
- ABSTENTIONS: None
- ABSENT: Mayor Anderson

DIANE HOLMES  
Clerk of the City of Richmond

(SEAL)

Approved:

IRMA L. ANDERSON  
Mayor

Approved as to form:

JOHN EASTMAN  
City Attorney

State of California            }  
County of Contra Costa       : ss.  
City of Richmond             }

I certify that the foregoing is a true copy of Ordinance No. 61-06 N.S., finally passed and adopted by the Council of the City of Richmond at a meeting held on November 14, 2006, and published in accordance with law.