



Administrative Rules

Sanitary Sewer Waste Water Collection System Responsibilities, Practices, and Procedures

Rule No. 12.01.080-09-01
Effective 08-30-2016

The City is responsible for the public sanitary sewer waste water collection system within the City boundary. This responsibility is granted through cooperative agreement(s) with Clean Water Services as described below.

I. Clean Water Services – Managing Authority

- A. Clean Water Services (CWS) as a county service district organized under ORS 451 has legal authority for the sanitary sewerage management programs within its boundaries consistent with relevant laws, rules and agreements.
- B. CWS performs watershed, sub-basin and facility planning, develops standards and work programs, is the permit holder, and operates and maintains wastewater treatment facilities, the public sanitary sewer conveyance systems, and the public surface water collections systems within its boundaries.

II. City of Tigard – Local Program

- A. The City of Tigard through cooperative intergovernmental agreement signed January 25, 2005, and further amendments signed July 1, 2008 (in force until June 30, 2027) assumes responsibility to perform capital improvement projects (service charge rate and system development charge (SDC) funded), sanitary maintenance, surface water maintenance, and engineering, inspection and support elements as the City's "Local Program" within the City boundary.

III. Determination of Programs, Rules, Policies and Standards

- A. CWS as the Permit holder is responsible for the management and operation of the public sanitary sewer and the public storm and surface water systems within its boundaries. The City shares certain responsibilities for the operation and maintenance of the public sanitary sewer and public storm and surface water systems within the City limits.
- B. CWS will obtain and enforce timely compliance with relevant federal and delegated state Clean Water Act permits for treatment plants, collection systems, and storm water.
- C. CWS may adopt orders, standards, specifications, work programs, reporting requirements, and performance criteria for the proper and effective operation of the sanitary sewer and storm and surface water systems and to meet or comply with state and federal permits, laws and regulations.

VI. City of Tigard Responsibility – Sanitary Sewer Waster Water Collection Systems

- A. The City agrees to follow and enforce the Orders, Standards, specifications, work programs, reporting requirements, and performance criteria adopted by CWS, subject however, to the extent that the City may be lawfully authorized to act.
- B. The City shall not be responsible for any failure to act or any defect in performance caused by inadequacies in the work program and performance standards as adopted by CWS.
- C. Compliance with the work program and performance standards as adopted by CWS shall be absolute defenses to any claim against the City under agreement. City shall notify CWS of apparent violations of the subject Orders, Standards, specifications, work programs, and performance criteria of which it has knowledge, which may require CWS legal action or enforcement.
- D. The City is responsible for the operation, maintenance, repair, and replacement of the waste water collection system, including main line sewers, large conveyance pipelines, and manholes or sewer entry systems. The City is not responsible for sewer laterals or connections to the wastewater

conveyance system, whether they are located on private property (front of street or back of property, etc.), with or without utility easements, or in the public right of way or public property.

- E. Private property owners are responsible for upper (private property) and lower (public right of way) sewer laterals as a private conveyance of authorized waste flow into the public sewer system. This is considered the “point of connection” to the City sewer waste water collection system. All costs associated with maintenance, clearing obstructions, and maintaining proper and adequate flow to prevent sanitary sewer overages (SSOs) or discharges is the responsibility of the private property owner. Sewer laterals serve only each private property and benefit only the private property lot legally served. Sewer laterals are not part of the public sewer system, nor does the City have ownership of sewer laterals serving private property. The City cannot maintain, repair, or replace private sewer laterals at the expense of the City utility ratepayers.
- F. The City is responsible for clearing any obstructions or blockages within the main pipe conveyance and manholes within the sanitary sewer system that may cause SSOs, either within the public sanitary sewer system or on private property through private sewer lateral connections.
- G. As the operator of the public sanitary sewer waste collection conveyance system, the City is responsible for locating and marking underground sewer utilities (requested through the Oregon Utility Notification Center - OUNC) within the public right of way in the City boundary served, including private sewer lateral hubs (“point of connection” to public sanitary sewer waste water collection system). Private sewer laterals will be marked “UL” as un-locatable at the perpendicular of the City main sewer pipe indicating the location of the “point of connection.” Private sewer laterals are not the responsibility of the City to locate in direction or depth within the public right of way, nor is the City or its utility ratepayers responsible for damages to private sewer laterals due to third party contractors or constructors working within the public right of way.

Approved by:

/Martha L. Wine/
Martha L. Wine, City Manager

/8-15-2016/
Date