

## APPENDIX D: SAMPLE PRIVATE SECTOR PROGRAM

Satellite Entity: Village of Sunnybrook

In recognition of the fact that a large portion of excessive wet weather flow in sanitary sewer systems comes from the privately-owned sector of the sanitary sewer system, the Village of Sunnybrook has developed a Private Sector Program (PSP). This PSP is intended to prohibit new illegal clear water connections to the sanitary sewer system, compel property owners with illegal clear water connections or sources of excessive infiltration to eliminate them, establish a public information program to enhance awareness of the risks posed by illegal clear water connections, and establish a long term program under which illegal connections that are costly to correct may be removed over time.

The components of the Village of Sunnybrook PSP are described below:

### 1. Staffing

The PSP will be overseen by the Director of Public Works. Three Water/Sewer Technicians will be trained in how to conduct internal and external private property inspections for sources of infiltration and inflow. These technicians will receive training on how I/I sources can be identified using smoke testing and dyed water testing. The technicians will receive training on how to document findings from private property inspections. Smoke testing and dyed water testing of multiple private properties for I/I studies will be outsourced to consultants. The Director of Public Works has the authority to determine when a private property should be inspected. On average, the Director of Public Works will spend eight hours per month on the PSP, while each of the technicians will spend sixteen hours per month each on the PSP.

### 2. Local Authority

The Village has adopted the following ordinances (copies attached) allowing inspections of private property for illegal clear water connections to the sanitary sewer system:

- 15-007 authorizes inspections when the Village has determined that the property is located in an area subject to sanitary sewer overflows (SSOs) and basement backups (BBs), or that the property is in an area that contributes to sanitary sewer overflows and basement backups in another area
- 15-121 authorizes inspections in conjunction with complaints related to water service, sewers, flooding, and utilities
- 15-130 requires inspection and repair or replacement, if necessary, of service laterals in conjunction with tear-downs and substantial improvement of structures

### 3. Inspection Program

If more than three wet weather SSOs or BBs occur in a subbasin within a calendar year (either during the same event or different events), and if these events are not attributed to blockages of private laterals at the locations where the events took place (eg., laterals clogged by roots, crushed laterals, etc.), the Village shall investigate the cause of the SSOs or BBs. The investigation may include televising of the public sewer, inspection of lift station(s) (if present), and inspection of private properties in the subbasin and in the subbasin immediately upstream. The Village will inspect private properties if the cause of the SSOs/BBs seems to be private sector I/I, and the public sewer system appears to not be a significant contributor of I/I. Depending the age of the system, severity of the problem and other site-specific factors, the Village may decide to inspect the private sewer laterals as well.

The Village will inspect all properties for illegal connections to the sanitary sewer system when Public Works staff needs to enter a home to address complaints related to flooding, sewers, water service, or utilities.

A sample inspection checklist is attached.

A private property is determined to be non-compliant if it has any of the following:

- A directly connected downspout
- A poorly-disconnected downspout that allows substantial leakage of stormwater into the sanitary sewer
- A cleanout or sanitary manhole missing a cover
- A cleanout or sanitary manhole with a cover that allows water inside
- A stormwater sump pump that discharges to the sanitary sewer

If a private property has none of the above defects, but has any of the following, it shall be considered partially-compliant:

- A foundation drain that discharges directly or indirectly to the sanitary sewer
- An area drain
- Window well drains
- Driveway drains
- A sanitary sump that also serves as a sump for groundwater, when no other sump for groundwater is present
- A leaky sewer lateral

The Village's goal is to inspect all properties with basements once every 20 years through any of the aforementioned scenarios.

#### 4. Non-Compliance Correction

When a property is found to be non-compliant, the inspectors will verbally inform the property owner, and show them the non-compliant conditions. A letter will be sent to the property owner within two

weeks of the inspection describing the non-compliant conditions and requiring correction of the non-complaint conditions within 90 days. The Village will post on its website a list of licensed, bonded contractors who are capable of performing the corrective work.

Property owners are required to notify the Public Works Department when the non-compliant conditions are corrected. The Village will send inspectors to the private property within seven working days to inspect the correction.

When properties are found to be in partial compliance, the Village inspectors will show the property owners the illegal connection. The Village will send a letter and report to the property owner documenting the illegal condition. The letter will encourage the property owner to correct the condition and will provide information about the Village's cost-sharing programs for lateral rehabilitation, sump repair and installation, rain garden construction, and storm sewer extension. The letter will also inform the property owner that in the event of substantial improvement to the property, the illegal conditions must be corrected. Similarly, in the event of a teardown, the lateral must be replaced or lined.

#### 5. Long Term Program to Address High Cost I/I Sources

The Village will maintain records of each property that is found to have high-cost I/I sources during inspections. This list will include all properties found to have high-cost I/I sources during the first five years of the IICP. The type of the I/I source or sources (footing drain, area drain, driveway drain, window well drain, sump pits collecting groundwater that discharge to the sanitary sewer, leaky lateral) will be recorded with the date of the inspection. The Village has cost sharing programs set up for lateral rehabilitation, sump repair and installation, rain garden construction, and storm sewer extension. Property owners may apply to participate in any of these programs to implement improvements to redirect groundwater and stormwater out of the sanitary sewer system. Depending upon availability of funds and severity of SSOs and BBs, the Village may increase funding of its cost-sharing programs and/or directly fund some private property improvements.

The Village's ordinances requiring correction of illegal I/I sources in conjunction with substantial improvements to properties will result in removal of such sources over time. Similarly, the Village's ordinance requiring replacement or lining of laterals in conjunction with tear downs will also reduce I/I in the system over time. When some or all of a property's high-cost I/I sources are corrected, the Village will update the list to include the dates of the correction work.

The list of properties with high-cost I/I sources will be provided to the Community Development Department. Updated versions will be provided quarterly. It will be responsibility of the Community Development Department to consult the list of properties with high-cost I/I sources any time a property transfer stamp is issued. If a property transfer stamp is issued to a property on the list, the Community Development Department will mail a letter to the new property owner within 30 days of the issuance of

the transfer stamp. The letter will notify the owner of the presence of high-cost I/I sources and will provide information about the long term program to address high cost I/I sources.

#### 6. Enforcement

If the non-compliant conditions are not addressed within 90 days, other than when a violation notice is issued after September 1, in which case the non-compliant condition must be addressed in 120 days, a violation notice will be issued to the property owner which requires the condition to be corrected in 14 days and requires payment of a penalty. The violation notice will state that water service may be shut off in the event of continued non-compliance. If the conditions are not addressed within 14 days, a second violation notice will be issued and water service will be shut off. The Village may elect to initiate a suit against non-compliant property owners.

When a non-compliant property submits a building permit application for substantial improvement, the submitted drawings must include disconnection of all illegal I/I sources. A building permit will not be issued unless the drawings include this work. If/when the Village begins a program of directly funding some private property improvements, enforcement measures for non-compliance will be determined at that time.

#### 7. Funding

The Village will fund its PSP through Water/Sewer fees. Should grant or loan funding become available from regional, state or federal agencies, the Village will investigate those potential sources to supplement the PSP.

#### 8. Public Information

The Village will develop brochures and post information on its website about on the following topics:

- Sources of Clear Water from Private Property, why property owners should be concerned, and actions they can take to correct the problems
- The Village's cost sharing program for lateral rehabilitation
- The Village's cost sharing program for sump repair and installation
- The Village's cost-sharing program for rain garden construction
- The Village's cost-sharing program for storm sewer extension

These brochures will be included with letters sent to property owners in areas experiencing SSOs and BBs, as well as letters notifying property owners that they have illegal connections to the sanitary sewer. The Village will include a brief article on the topic of private sector I/I in each issue of its quarterly newsletter. The brochures will be handed out at public meetings as appropriate.