

Memo

To: Mayor and Members of Council

From: Andrea Coyne, Manager, Elections, Policy, and Print Services

CC: Vicki Tytaneck, Town Clerk, Darnell Lambert, Director, Roads & Works Operations

Date: June 8, 2022

Subject: Council Item 7.5 - Corporate Policy Update – May 25, 2022, MS-SPR-002-001 – Private Storm Sewer Laterals and Private Storm Sewer Grant Program Procedure, Appendix C

Regarding Appendix C to Council Item 7.5, updates have been made to the Private Storm Sewer Laterals and Private Storm Sewer Grant Program Procedure (Redlined version of the procedure attached to this memo). Updates have been made to clarify where the lateral is located under the driveway/driveway apron, and the assignment of cost for reinstating any and all damaged areas flows from the determination of where the damage is located (municipal or private side).

Storm Sewer Laterals and Private Storm Sewer Lateral Grant Program

Procedure number: MS-SPR-002-001
Parent policy number: MS-SPR-002
Section: Municipal services
Sub-section: Special requests
Author(s): Roads and Works Operations
Authority: CAO
Effective date: 2009-03-23
Review by date: 2027
Last modified: 2022 May 25

Purpose statement

This procedure outlines how the Town of Oakville will inspect, repair and maintain storm sewer laterals, and details the procedure for a Private Storm Sewer Lateral Grant Program. For the purpose of this procedure, the town may be required to enter upon private property for inspecting, testing, and repair of its portion of the storm sewer laterals.

Scope

This procedure applies to all storm sewer laterals connecting homes/buildings and private property to the municipality's storm sewer mainlines.

Storm sewer laterals include two components:

1. **Municipal portion:** The section of the storm sewer lateral system located on municipal property (i.e. from storm sewer system mainline to private lot line). The Town of Oakville is responsible for all costs associated with the inspection, repair and maintenance of the municipal portion of the storm sewer lateral including the cost of restoring land/elements (e.g. driveway apron, etc) on private property should these be disturbed as a result of repairing the municipal portion of the lateral.

2. **Private portion:** The section of the storm sewer lateral system located on private property (i.e. from the private lot line to the house/building or rear yard drain). The property owner is responsible for all costs associated with the inspection, repair and maintenance of the private portion of the storm sewer lateral including the cost of restoring lands/elements (e.g. driveway apron, etc) on the municipal property should these be disturbed as a result of repairing the private portion of the lateral.

Procedure

1. **Notice:** It is the responsibility of the property owner to notify the Town of Oakville (Roads & Works Operations Department) of any suspected damage and/or blockage of the storm sewer lateral.
2. **Initial inspection:** The property owner is required to undertake an initial inspection to determine the extent and location of the damage and/or blockage of the storm sewer lateral.
3. **Damage/blockage within the municipal portion of the storm sewer lateral:**
In the event the initial inspection reveals the damage and/or blockage is located, in whole or in part within the municipal portion of the storm sewer lateral, then it will be the responsibility of the municipality to carry out the repair/maintenance at its sole cost. The municipality will endeavour to complete the repair/maintenance in an expeditious manner to minimize inconvenience to the property owner/tenant. Should the damage and/or blockage be as a result of the inappropriate use of the storm sewer lateral by the property owner or its tenant(s), the municipality reserves the right to seek reimbursement of the repair/maintenance costs from the property owner. Property owners contravening the Storm Sewer Use By-law may be prosecuted and subjected to further monetary penalties in accordance with the Storm Sewer Use By-law.
4. **Damage/blockage within the private portion of the storm sewer lateral:**
In the event the initial inspection reveals the damage and/or blockage is located solely within the private portion of the storm sewer lateral, the property owner will be advised it is their responsibility to retain a private contractor to carry out the repair/maintenance, at their sole cost. Such work and cost will include restoring land/elements within the public right of way disturbed as a result of repairing the private portion of the lateral (e.g. if the owner needs to dig up the driveway apron to access the repair they will reinstate the driveway apron at their cost).
5. **Private Storm Sewer Lateral Grant Program:**
Should the blockage of the private portion of the storm sewer lateral be the result of the infiltration of roots from a municipal tree(s), the property owner may be eligible for a one-time grant of 50 per cent of the cost to repair up to a maximum of \$2,000.00, provided the following is submitted to the municipality:

- a. A closed circuit television inspection showing visual evidence of the condition of the private portion of the storm sewer lateral.
- b. A copy of the contractor's original invoice relating to the repair/maintenance relating to this type of blockage.

Upon receipt of a. & b. above, and, at the sole discretion of the Director of Roads & Works Operations, and/or his/her designate, the town may reimburse the property owner up to a maximum of \$2,000.00 for the expenses incurred as documented in acceptable invoices/receipts. In consideration of such payment, the property owner will be required to complete and sign a *Private Storm Sewer Lateral Grant Program Application & Release Form*.

The provision of a municipal grant does not constitute an admission of liability by the Town of Oakville for damages caused to private property resulting from the back-up or overflow or infiltration of municipal tree roots of storm sewer laterals.

References and related documents

Town of Oakville Storm Sewer Use By-law No. 2009-031

Appendix A - Private Storm Sewer Lateral Grant Program Application & Release Form

Definitions

Municipal tree - is a tree that is situated on municipal property (i.e. where more than 50% of its base/trunk diameter at ground level is situated on municipal property). Excludes bushes, shrubs and other forms of vegetation.