



CITY OF BALLWIN

14811 Manchester Road, Ballwin, MO 63011

BILL NO. 3865

ORDINANCE NO. \_\_\_\_\_

INTRODUCED BY

ALDERMEN TERBROCK, FINLEY, STALLMANN, SCHWENT, FLEMING, LEAHY, KERLAGON, BOLAND

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**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BALLWIN WITH REGARD TO THE SEWER LATERAL REPAIR PROGRAM.**

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NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION I. Section 21-8(a) of the Code of Ordinances shall be repealed in its entirety and replaced with the following:

**Sec. 21-8. - Sanitary sewer lateral repair program guidelines.**

(a) *What work is eligible for payment.*

- (1) *Eligible work.* Payment for the repair of failed sanitary sewer laterals for residential property having six or less dwelling units is eligible. This is defined as:
  - a. Excavation and replacement of the failed section of lateral. This shall include the replacement of the failed pipe with new material of a similar nature or the use of a liner or other similar technology that allows the restoration of function to the failed sewer lateral without its physical removal. Replacement may also include the construction of a yard clean out to permit future service to the lateral "Failed" shall be defined as a disconnection or break that allows leakage of effluent from the lateral or blockage that causes effluent to back up into a plumbing fixture or other portion of a qualifying residential property;
  - b. Backfill and restoration of the backfill consisting of grading into a mound to allow for settlement, and seeding and straw;
  - c. Removal and hauling away of construction and pavement materials that were in the way of excavation;
  - d. Patching (this includes saw cutting and patching only and not whole slab replacement) of private driveways or sidewalks that had to be cut and removed in order to repair the sewer lateral;
  - e. Repair or replacement of any public sidewalks or street pavement damaged or removed as a result of the sewer lateral failure or replacement (All repair and replacement shall be done as directed by the department of public works under the standards for excavation permits);
  - f. Payment for trees or shrub removal in the public right of way that must be done to make the necessary repairs to the sanitary sewer lateral will be figured on a case-by-case basis. The city reserves the option of hiring a separate contractor or doing the work with city forces.

(2) *Exclusions.*

- a. The cost of cabling to clear a blockage or to document sewer lateral failure is not reimbursable under this program. In order to apply for service under this program, a property owner must document the existence of a failed lateral as defined in Subsection (a)(1)a and that an owner has attempted to clear the blockage by cabling.
- b. There will be no payment for replacement or loss of trees or shrubs;
- c. Any future settlement of the back filled sewer lateral trench will be the responsibility of the property owner to repair;
- d. No damage to adjoining private property or utilities will be paid for from this fund. This will be the responsibility of the property owner and the contractor;
- e. The mere existence of a crack or presence of roots or vines shall not constitute a failure. The applicant must demonstrate a history of clearing blockages caused by roots at a frequency greater than once annually for this to be considered a reason to fund a sewer lateral repair. Root removal at the rate on once per year or less is considered normal maintenance and not a basis for funding under this program.

Section 2. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2015. \_\_\_\_\_  
*TIM POGUE, MAYOR*

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2015. \_\_\_\_\_  
*TIM POGUE, MAYOR*

ATTEST: \_\_\_\_\_  
*ROBERT KUNTZ, CITY ADMINISTRATOR*