

## Chapter 15.12

### SIDE SEWER INSTALLATION

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**15.12.005 Definition.** Side sewer: That portion of the sewer system extending from the City main in a City right-of-way or easement to the building being served. The side sewer is the full responsibility of the property owner. (Ord. 1730, 1993)

**15.12.010 License to Install and Repair Side Sewers Required – Fee – Bond – Insurance.** Prior to engaging in the installation or repair of a side sewer all individuals (except property owners doing the work themselves, on their own property and not generally in the business to do this type of work), partnerships, or corporations shall secure the following licenses:

- A. A City business license from the City, good for the year of issue, unless sooner revoked for cause by action of the City Council; and
- B. A current State of Washington General Contractor license or any contractor with a State specialty license for excavation. Posting of bonding (as outlined below) and proof of the valid contractor license and liability insurance (see Title 12 for insurance requirement) are required in order to obtain the City business license. Each original license fee shall be as set forth by resolution of City Council. Each applicant shall post a five thousand dollar or one hundred twenty five percent of the estimated cost, whichever is greater, surety company bond with the city guaranteeing faithful performance of the licensee's obligations to those with whom he or she contracts and evidence of not less than one hundred thousand dollars liability insurance against injuries to persons and damage to property of the City and others prior to commencing any such installation and/or repairs, and such bond and insurance shall be kept in force concurrently with such license.

No licensed contractor shall break, alter, or tamper with any public sewer without the approval and supervision of the City Engineer. (Ord. 1602, 1987; Ord. 1730, 1993)

**15.12.020 Compliance with Chapter Required – Permit Required.** It is unlawful to make any connection with any public or private sewer without complying with all of the provisions of this chapter in relation thereto and having a permit to do so from the City Engineer. (Ord. 1602, 1987)

**15.12.030 Permit – When Required.** It is unlawful to construct, extend, relay, repair, or make connection to any private sewer or sewer main without obtaining a permit pursuant to the provisions of Snohomish Municipal Code from the City Engineer. The City Engineer may issue such permit to the owner or occupant of any property to construct, extend, relay, repair, or make connection to any private sewer inside the property lines. Should the owner or occupant employ a licensed contractor to do the work, such contractor shall take the permit in his or her own name, and the owner, occupant, or any other person shall lay no pipe under the authority of the contractor's permit. Any work outside the property line and inside the City rights-of-way shall require a licensed contractor.

In the event any of the permitting requirements set forth in this chapter shall conflict with the requirements of Snohomish Municipal Code Chapter 12.12, the provisions of Snohomish Municipal Code Chapter 12.12 shall control. (Ord. 1602, 1987; Ord. 1721, 1992; Ord. 1730, 1993)

**15.12.040 Permit – Renewal.** No permit issued pursuant to the provisions of Snohomish Municipal Code shall be valid for a longer period than ninety days unless extended or renewed by the City Engineer

upon application therefore prior to the expiration. Failure to renew the permit prior to expiration thereof shall require the payment of a new permit fee. (Ord. 1602, 1987; Ord. 1730, 1993)

**15.12.050 Permit – Posting Required.** The permit required herein must at all times during the performance of the work, and until the completion thereof and approval by the City Engineer, be posted in some conspicuous place at or near the work and must be readily and safely accessible to the City Engineer. (Ord. 1602, 1987; Ord. 1730, 1993)

**15.12.060 Inspection – Required -- Notice of Defects.** Any person performing work under permit pursuant to the provisions of this chapter shall notify the city engineer when the work will be ready for inspection, and shall specify in such notification the location of the premises by address and the file number of the permit.

On any calls for inspection forty-eight hours notice plus Saturday, Sunday, and holidays may be required by the City Engineer.

If the City Engineer finds the work or material used is not in accordance with this chapter, he shall notify the person doing the work, and also the owner of the premises, by posting a written notice on the permit card, and such posted notice shall be all the notice that is required to be given of the defects in the work or material found in such inspection. (Ord. 1602, 1987)

**15.12.070 Inspection – Leaving Work, Trench, etc. Uncovered.** All work done pursuant to a permit herein provided for shall be under the inspection and subject to the approval of the City Engineer, and no side sewer construction shall be covered until such inspection shall have been completed.

No trench shall be filled or any sewer covered until the work shall have been inspected and approved by the City Engineer. (Ord. 1602, 1987)

**15.12.075 Excavations – Guarding Same.**

It is unlawful to leave unguarded any excavation made in connection with the construction or repair of any side sewer or to fail to maintain the lateral support of any public place in connection with the construction, alteration, or repair of any side sewer. (Ord. 1730, 1993)

**15.12.080 Standards of Workmanship.**

All work within the limits of any public area shall be prosecuted to completion with due diligence and in conformance with adopted City Code, Standards and Specifications. Rights-of-way areas including streets where excavated for side sewers shall be restored and/or replaced, and the surface shall be repaired at the sole expense of the property owner/contractor to as good or better condition as before excavated. The City Engineer may cause correction of any construction standard or specification deficiency prior to final approval and/or activation of the connection. The cost incurred in such work shall be charged to the property owner and shall be immediately payable to the City Treasurer upon written notification of the amount thereof given to the contractor or posted at the location. (Ord. 1602, 1987; Ord. 1730, 1993)

**15.12.100 Dangerous Side Sewer – Notice to Abate – Failure to Abate – City Action.**

When any side sewer is constructed, laid, connected or repaired, and does not comply with the provisions of this chapter, or where it is determined by the a health officer or the City Engineer that a side sewer is obstructed, broken, or inadequate and is a menace to health, or is liable to cause damage to public or private property, the health officer or City Engineer shall give notice to the owner, agent or occupant of the

property in which such condition exists. If he or she shall refuse to reconstruct, relay, reconnect, repair, or remove the obstruction of said side sewer within the time specified in such notice, upon coordination with the health officer he or she shall so notify the City Engineer who may perform such work as may be necessary to comply with this chapter, and the cost of such work so done shall be charged to the property owner or occupant and shall become immediately payable to the City Treasurer upon written notice of such amount being given to the property owner or occupant or posted upon said premises. (Ord. 1602, 1987; Ord. 1730, 1993)

**15.12.110 Costs Borne by Owner.**

All costs and expense incidental to the installation, connection, and maintenance of a side sewer shall be borne by the owner of the premises served by the side sewer. (Ord. 1602, 1987)

**15.12.120 Use of Old Side Sewer by New Building.**

The use of an existing side sewer may be permitted when approved by the City Engineer as conforming to all requirements of this chapter and City adopted standards and specifications as appropriate where a new or converted building or new installation replaces an old one. (Ord. 1602, 1987; Ord. 1730, 1993)

**15.12.130 Elevation of Side Sewers – Back-Up Valves.**

In any building, structure, or premises in which the house drain is too low to permit gravity flow to the public sewer, the same shall be lifted by artificial means and discharged into the public sewer or into a septic tank according to Snohomish Health District.

Whenever a situation exists involving an unusual number of backups the City Engineer may prescribe a minimum elevation at which the house sewer may be discharged to the public sewer. Sewers

below such minimum elevation shall be lifted by artificial means; or if approved by the City Engineer, a check valve may be installed. The effective operation of the check valve shall be the responsibility of the owner of the sewer. Approval of a check valve shall be made only upon the applicant filing with the City an acceptable instrument agreeing to save the City of Snohomish harmless from all damage resulting therefrom. (Ord. 1602, 1987; Ord. 1730, 1993)

**15.12.140 Separate Side Sewer Connections.** Not more than one building shall be connected to a side sewer. Each property shall have an individual side sewer connection. (Ord. 1602, 1987; Ord. 1730, 1993)

**15.12.145 Filling Vacated Privies and Septic Tanks.** All vaults or privies shall be disinfected and filled with approved backfill; and all septic tanks, cesspools, and similar installations shall be evaluated for the need to remove, and if allowed to remain in place, disinfected and filled with approved backfill at the time of the discontinuance of the use thereof. No septic tank or cesspool shall be used as a portion of a side sewer. (Ord. 1730, 1993)

**15.12.150 Exceptions.** Where physical conditions render compliance with the foregoing provisions impracticable, the City Engineer may issue a special permit for installation of a side sewer requiring compliance with said provisions insofar as is reasonably possible, and such permit shall be issued only upon the condition that the permittee shall record with the county auditor an instrument acceptable to the city engineer agreeing to save harmless and indemnify the City of Snohomish from any damage or injury resulting from such installation. (Ord. 1602, 1987)

**15.12.160 Materials Permitted.** All materials utilized for connection to City utilities shall be as specified in current City Standards and Specifications. Copies of the Standards and Specifications shall be provided upon request to the City Engineering Division. (Ord. 1602, 1987; Ord. 1730, 1993)

**15.12.170 Cuts in Pavement Size – Backfill.** No excavation shall be made in any public area except in accordance with the City right-of-way ordinance, as adopted in Snohomish Municipal Code 12.12 and City Standards and Specifications and approved plans. (Ord. 1602, 1987; Ord. 1730, 1993)

**15.12.180 Damaging Sewer System Unlawful.** It is unlawful to break, damage, destroy, deface, alter or tamper with any structure, appurtenance, or equipment which is a part of the sewer system of the City or without authority from the City Engineer to break, damage, destroy or deface any public walk, curb or pavement, or to make openings or excavations in a public area for the purpose of connecting to any public or private sewer. (Ord. 1602, 1987)

**15.12.190 Protecting and Guarding Excavation – Liability.** Any excavation made by any licensed sewer contractor in any public place or immediately adjacent thereto shall be protected and guarded by fencing or covering and by proper lights. The protection of the public from danger of such excavation shall be the responsibility of the side sewer contractor; and said contractor shall be liable on his bond for any damage caused by his failure to properly protect and guard such excavation as herein required. If the contractor fails to properly protect and guard such excavation, the City Engineer may properly protect and guard same and charge the cost thereof to the side sewer contractor. Private property owners doing work shall exercise due care in

preventing the creation of hazardous situation that could lead to injury or damage to neighboring property, be it public or private property. (Ord. 1602, 1987; Ord. 1730, 1993)

**15.12.200 Restoring Surface.** All streets, sidewalks, parking strips and other public areas disturbed or altered in the course of any side sewer or drainage work, shall be restored by the property owner/contractor under the direction of the City Engineer and in accordance with City Engineering and Construction Standards. (Ord. 1602, 1987; Ord. 1730, 1993)

**15.12.210 Discharge of Stormwater, etc. into Sanitary Sewer.** No new construction shall be built so as to discharge or cause to be discharged any stormwater, surface water, ground water, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process water to any sewer which is built solely for sanitary sewage. In combined sewer areas all remodeling or reconstruction that changes the use of the property or building or increases the impervious area may be required to install a stormwater system to mitigate the impact of stormwater on the City sanitary sewer system. All new construction, substantial remodel, or reconstruction shall be required to provide stormwater control in accordance with Chapters 15.13 and 15.16 SMC. (Ord. 1602, 1987; Ord. 1730, 1993; Ord. 2173, 2009)

**15.12.220 Acceptance of Unusual Waste – Procedure.** The City Engineer shall make recommendations to the City Council in regard to entering into any agreement whereby any waste of unusual character may be accepted by the City for treatment before entry in the public sewer, the payment for such treatment to be such as is fixed by the City Council. (Ord. 1602, 1987)

**15.12.230 Planting Certain Trees.** It is unlawful to plant within thirty feet of any public or private sewer any tree or shrub whose roots are likely to enter and obstruct the flow of the sewers or interfere with the infrastructure relating thereto. A list of acceptable trees may be obtained from the City. (Ord. 1602, 1987; Ord. 1730, 1993)