



# Private Sewer Lateral Policy Options



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# Private Sewer Lateral Policy Options Summary

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The tiles shown below summarize the key considerations of the private sewer lateral policy options that are presented in this document. The subsequent pages provide detailed information regarding each policy option.

## REBATE



- » Incentive based
- » County funded
- » PCU customers only
- » Increased public education

## POINT OF SALE



- » Countywide
- » Increases buyer awareness
- » Impacts sales process

## PERMITTING



- » Integrated into existing process
- » Requires defined criteria
- » Adds permitting step and cost

## FIND-AND-FIX



- » Cost advantage with County projects
- » Problem area focused
- » PCU customers only
- » Private property access

# Rebate



## Policy Definition

Through the rebate option, Pinellas County Utilities (PCU) offers reimbursement of the cost for a voluntary private sewer lateral inspection and full replacement or lining costs up to a specified

maximum (capped) amount. The rebate is approved upon meeting the following requirements: the customer demonstrates the lateral needs repair, the customer submits an acceptable cost estimate for full replacement or lining to the County, the customer has paid the plumber/contractor, the lateral is properly replaced or fully lined, and proper documentation is submitted to PCU. Homes that are more than 50 years old likely have Orangeburg, galvanized, or cast iron sewer lateral pipes. In these cases, the property owner may forego an inspection and have the sewer lateral fully replaced.

## Magnitude

Approximately 84,000 privately-owned sewer laterals are directly connected to the County's wastewater collection system. The number of private sewer laterals improved as part of this option depends on funding made available by PCU, the cost split, and the level of awareness and interest from PCU customers. The City of Gulfport is currently providing a rebate of up to \$3,500 per customer as part of a 50/50 split for pipe replacement. Based on discussions with the City, potential for significant customer interest exists.

## Effectiveness

A rebate policy can provide for improvements to a significant number of private sewer laterals in the PCU service area. This may provide a measurable inflow and infiltration (I&I) reduction to water reclamation facilities; however, localized benefits may be delayed due to the widespread locations of participating customers. While customers are improving private laterals, PCU may be addressing the adjacent public portion of the laterals and sewer mains. Performing this work at the same time will increase the overall effectiveness of I&I reduction.

## Cost/Affordability

The costs of the rebate option to PCU are primarily driven by available funding. Depending on customer response, additional administrative staff may be needed to process an increased amount of documentation. The average cost to fully line a private sewer lateral ranges from \$3,500 to \$6,000, while full replacement ranges from \$5,000 to \$10,000. Factors that influence cost

include severity of damage, length and depth of lateral, and proximity to groundwater table.

## Variations

Variations to the rebate option include different levels of cost sharing. This option could also be added as a component to other policy options, such as permitting, point of sale, and find-and-fix.

1. **Inspection Rebate:** Would cover 100% of the inspection cost. A sewer lateral inspection would involve use of a CCTV camera, and the cost for this type of inspection can vary between \$200 and \$350. Smoke testing will not be considered an acceptable inspection method to be used by plumbers or contractors. This variation can stand alone or be combined with the following three variations.
2. **25% Rebate:** Would provide 25% of a full replacement or lining cost, up to a capped amount. It is anticipated that PCU will be able to provide rebates to the greatest number of customers through this variation.
3. **50% Rebate:** Would provide 50% of a full replacement or lining cost, up to a capped amount. Under this variation, PCU will be able to provide rebates to fewer customers than the 25% variation, but more rebates than the 100% variation.
4. **100% Rebate:** Would provide 100% of a full replacement or lining cost, up to a capped amount. Since PCU will be providing more funding for full replacement or lining, it is anticipated that expenditure of allotted funds will occur quickly.

## Advantages

- » Incentivizes customer participation
- » Property owner involvement can be reduced if plumbers can submit inspection and/or replacement rebate documentation directly to the County
- » Beneficiaries not limited to a specific location or targeted community within the PCU service area
- » A rebate is versatile and can be added to other policy options

## Disadvantages

- » Number of laterals impacted is tied to public awareness and customer interest
- » Localized benefits to areas experiencing high I&I may not be realized quickly
- » Property owners who lease homes may not be aware of the rebate program
- » The County may need to hire additional staff to review and track rebate-related documentation



# Point of Sale (POS)



## Policy Definition

Through the point of sale (POS) option, an inspection of the private sewer lateral is required as part of any property title transfer within Pinellas County. Repairs will be required if the private lateral does

not meet applicable building codes. Deadlines to conduct inspections and repairs will be established by the County, most likely to occur soon after closing.

## Magnitude

Pinellas County real estate data from 2019 and 2020 showed an average of 20,400 residential sales countywide. Approximately 40% are condominium units and approximately 6,800 are within the Pinellas County Utilities (PCU) service area. The number of laterals impacted each year will depend on factors such as real estate market activity and the number of single-family home sales versus condominium sales.

## Effectiveness

This option has the potential to result in a significant number of private sewer lateral inspections and repairs. This may provide a measurable inflow and infiltration (I&I) reduction at water reclamation facilities, however, localized benefits may be delayed due to the widespread location of home sales. While customers are improving private laterals, PCU may be addressing the adjacent public portions of the laterals and sewer mains. Performing this work simultaneously will increase overall effectiveness of I&I reduction.

## Cost/Affordability

The cost and impact to the County to implement this option is expected to be low. The County will need administrative staff to track title transfers, inspection status, and repairs. The Building Department may need additional resources to conduct post-construction inspections. The affordability impact to the property owner could be high, depending on the extent of necessary repairs.

## Variations

Each variation to the POS option informs the seller of statutory disclosure requirements (i.e., they must inform the buyer of any known issues related to the property's private sewer lateral). All variations could include a rebate component (see rebate policy option).

1. **Require Inspection Prior to Closing:** The seller must complete the inspection prior to closing to ensure the buyer is aware of the private lateral's condition. Any necessary repairs could be done after title transfer but would still be subject to the mandated deadline.
2. **Require Inspection & Repair Prior to Closing:** The seller is responsible for inspection and repair of the private lateral prior to closing. This variation would likely have the greatest impact on the process due to the time needed for repair. This would reduce the County's involvement because enforcement would have occurred by the time the sale of the home was complete, requiring no further action from the County.
3. **Seller & Buyer Determine Conditions:** The seller and buyer will jointly agree on timing and terms of payment for inspection and repair, but the buyer will be responsible for meeting County-mandated deadlines.
4. **Fully Voluntary POS Option:** Private lateral inspections are voluntary. The County increases public awareness that the private lateral is the property owner's responsibility and sellers are required by state law to disclose any known issues.

## Advantages

- » Requires minimal effort for the County and PCU
- » Buyers and sellers of private property drive the responsibility for inspection and repair
- » Depending on the housing market, a significant number of laterals could be inspected each year

## Disadvantages

- » Consensus must be reached between PCU, the real estate industry, other sewer system owners, and plumber/contractors on relevant program components
- » May affect the sales process and increase effort required by real estate professionals
- » Added cost from inspection and potential repair to be reconciled between the buyer and seller

# Permitting



## Policy Definition

Through the permitting option, a residential property owner who applies for a County building permit may be required to have their private sewer lateral inspected to confirm it

meets County building codes, and if not, make any necessary repairs. This requirement will apply to permit applications for improvements that have the potential to increase flows into the County sanitary sewer system or involve work on the private sewer lateral.

## Magnitude

The number of properties impacted each year is unknown because residential improvements with the potential to increase flow into the sewer system are not currently tracked by Pinellas County Utilities (PCU). These properties have already paid appropriate connection (impact) fees and are not required to pay any additional fees for added fixtures. However, a review of historic data and categories from the County Building Department permits indicates approximately 10% of the 8,500 building permits issued by the County in 2020 could qualify for mandatory lateral inspection under variations of this policy.

## Effectiveness

The potential number of laterals that could be inspected and repaired each year under this option may provide a measurable inflow and infiltration (I&I) reduction to water reclamation facilities. Since the locations of the affected properties are spread throughout the county, localized capacity benefits may not be realized quickly, but over time will be measurable. The effectiveness of I&I reduction will be enhanced when PCU addresses the public portion of the lateral.

## Cost/Affordability

This option would likely increase administrative costs to the County. If more staffing is needed, additional costs would be incurred. This option could impact affordability to property owners and affect their decision to make certain improvements. Some of the variations described below may increase costs to the County.

## Variations

Several variations to this option are provided and focus on the types of permits that would prompt a mandatory private lateral inspection. All variations could include a rebate component.

1. **Additional Plumbing Fixture Only:** Includes permits for the addition of new plumbing fixtures, such as floor drains, urinals, toilets, sinks, showers, trench drains, and bath tubs that would increase sanitary flows to the sewer lateral.
2. **50% Rule:** Requires inspection of a private sewer lateral when the construction estimate of a home improvement is 50% or greater of the assessed value. This variation is also in line with the 50% Rule implemented by the National Flood Insurance Program (NFIP). It is anticipated few private sewer laterals will be inspected.
3. **Additional Square Footage:** Requires inspection of a private sewer lateral when additional square footage is added to an existing home because additional occupants would increase sanitary flows to the sewer lateral.
4. **Demolition/Rebuild:** Requires inspection of a private sewer lateral when a permit is required for a demolition or full rebuild of a residential building. Current Florida Residential Building Code requires sewer pipes under a slab and leading to the sewer main to be examined if the plumbing in a home is completely replaced. The County Plumbing Department requires a letter signed by a licensed contractor stating the examination was completed and all building code requirements were fulfilled. The building code does not specify how examinations are to be performed. PCU would require a CCTV inspection as part of this variation.

## Advantages

- » Integrates into existing permitting processes
- » Provides additional control of I&I
- » Multiple County departments share the responsibility to make this option successful
- » Over time, benefits can be measurable
- » Requires minimal effort for PCU

## Disadvantages

- » Due to customers being spread throughout the county, benefits to areas experiencing high I&I may not be realized quickly
- » Potential need for additional Building Department and PCU staff to handle permitting and post-construction inspections
- » Additional cost for repair of the private lateral may dissuade property owners from applying for a permit
- » Additional cost for repair to property owners

# Find-and-Fix



## Policy Definition

Through the find-and-fix option, Pinellas County Utilities (PCU) will identify specific Capital Improvement Program (CIP) projects to perform comprehensive rehabilitation

of the collection system to aggressively reduce inflow and infiltration (I&I) in targeted prioritized areas. Comprehensive rehabilitation involves lining or replacing all sewer mains, manholes, and public and private laterals within the project area. These CIP projects will only cover areas where aggressive I&I reduction is required to meet PCU's goals of reducing sanitary sewer overflows (SSOs).

## Magnitude

The CIP project areas will be targeted to maximize the cost-effective reduction in I&I. This reduction will recover capacity within the collection system and at water reclamation facilities. The total number of private laterals to be addressed depends on the need for effectively achieving SSO reduction goals. Only in the targeted areas will private lateral inspections and repairs be performed, if needed.

## Effectiveness

Aggressive implementation of this option can produce quick, measurable reduction of I&I within the collection system and can reduce or eliminate specific SSOs. An analysis of cost-effectiveness will be conducted to identify I&I removal projects and will include the potential to eliminate the need for costly capacity upgrades.

## Cost/Affordability

PCU will pay for all work on private properties in the CIP project areas. This option may have a larger upfront cost, but in the long-term can reduce the need to expand the infrastructure, thus reducing capital costs. If PCU is leading, managing, and paying for the costs of this option, additional staffing is likely to be required to administer and manage the work in the targeted areas. If the property owner shares cost responsibility in the targeted areas, which include low-income areas, customer affordability issues may arise as mandatory inspections are implemented. The average cost to fully line a private sanitary lateral as part of this policy option is approximately \$1,000. This amount is less than other policy options because mobilization and

demobilization costs would already be included in the CIP project scope and economy of scale exists in the cost for lining material. Costs will depend on the length of lateral, bid prices, and market conditions.

## Variations

There is a single variation on this option that could expand find-and-fix to include mandatory lateral inspections in PCU's service area that are outside of a CIP project. A rebate option can be added to this variation. PCU would require all customers to have their sewer laterals inspected within a specified time frame. The mandatory inspection time frames would be scheduled in phases and prioritized by PCU based on flow monitoring data. The following are variations of the mandatory systemwide inspections.

1. The property owner is responsible for inspection and the repair/replacement of private sewer laterals that do not meet County building code requirements.
2. PCU performs the inspection and the property owner is responsible for the repair/replacement of private sewer laterals that do not meet County building code requirements.
3. PCU performs the inspection and repairs or replaces deficient private sewer laterals.

## Advantages

- » Targeted and prioritized approach can result in relatively quick and measurable I&I reduction
- » Minimizes the need for new infrastructure to increase capacity within the collection system and at water reclamation facilities
- » Life of existing infrastructure will be extended
- » Provides highest opportunity for successful and sustainable implementation across PCU service areas
- » Potential opportunities for plumbing and contracting communities to invest in local jobs

## Disadvantages

- » Full-time program manager and additional administrative staffing required for implementation
- » Requires PCU to add resources such as inspection equipment, crews, and outside contractors
- » Increased risk by performing work on private property
- » Requires providing project details to the property owner and subsequent acquisition of temporary property easement

## **RESOLUTION \_\_\_\_ REBATE**

### **A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO ESTABLISH AND IMPLEMENT A SEWER LATERAL REBATE PROGRAM; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Pinellas County owns and operates wastewater facilities and related collection, transmission, and treatment infrastructure (“System”); and

**WHEREAS**, in addition to maintaining the System, the Board of County Commissioners also establishes policies governing the use of the System for the purpose of maintaining efficient, economic and safe operation of the System and for the protection of the health, safety and general welfare of the public within Pinellas County; and

**WHEREAS**, the Pinellas County Code currently provides, among other provisions, that a purpose of the regulations and requirements currently codified is to prevent and abate pollution through the regulation and control of connections to the county sewer system and to limit the use of the sewer system to the collection, conveyance, treatment and disposal of wastewater through appropriate regulation and enforcement; and

**WHEREAS**, in order to protect the environment from biological, nutrient, and other types of contaminants, as well as to ensure that financial investment in the System is accurately guided so that rate-payer funds are applied to create an appropriately engineered and functioning System, policies and programs are needed to address the various contributing factors that may cause inappropriate discharges to the System, or to increase the risk of sanitary sewer overflows (SSO) and the potential for regulatory action connected therewith; and

**WHEREAS**, the risk for adverse impacts to the System as well as of the occurrence of SSOs is increased when stormwater, groundwater or other inappropriate sources of discharge enter the sewer infrastructure, collectively referred to as Inflow and Infiltration (I&I); and

**WHEREAS**, a known source of I&I exists in portions of private plumbing infrastructure, in particular the portions of private plumbing that transmit wastewater from a building collection system to the System (Sewer Lateral), when Sewer Laterals through causes including material degradation, damage, and age begin to admit unintended discharges; and

**WHEREAS**, private Sewer Laterals belong to the property owner and are not County-owned infrastructure, but they are connected to and have a significant influence on County owned infrastructure by conveying material into the System; and

**WHEREAS**, the Board therefore finds that a public purpose is served by eliminating the risk, to the extent possible, that a defective private Sewer Lateral can contribute I&I to the System, which could result in SSOs or other burdens and expenses that would become a burden to the rate-payers of the System; and



**WHEREAS**, it is not only in the best interests of the environment and the residents of Pinellas County that private Sewer Laterals are maintained in a state of good working order, but the Board has already established minimum housing standards that require the maintenance in good repair of private plumbing conveyances, including Sewer Laterals;

**WHEREAS**, the County wishes to additionally and proactively reduce the amount of I&I originating from defective private Sewer Laterals; and

**WHEREAS**, certain obstacles exist that make it difficult for home owners or other private property owners who may own a defective Sewer Lateral to make necessary repairs; and

**WHEREAS**, among those obstacles notice or knowledge of the defect is one, and the expense of making the repair is another; and

**WHEREAS**, the Board has determined that policies and programs that address these obstacles to private Sewer Lateral repair support the public purposes described herein; and

**WHEREAS**, in order to ensure that the expense of needed repairs, which could be prohibitively high for some property owners, does not preclude the improvement of a defective Sewer Lateral that will otherwise continue to burden the System with I&I, the Board finds that funds may appropriately be budgeted and used to make rebates available to eligible property owners;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, AT A DULY ASSEMBLED MEETING HELD ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AS FOLLOWS:**

Section 1. The Board makes the legislative findings stated above and incorporated herein, and accordingly determines that in furtherance of the public purpose identified, the County Administrator is authorized and directed to implement a Sewer Lateral Rebate Program, as further described in Attachment 1 hereto.

Section 2. This Resolution shall take effect immediately upon its adoption.

Commissioner \_\_\_\_\_ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner \_\_\_\_\_, and upon roll call the vote was:

AYES:

NAYS:

ABSENT AND NOT VOTING:

## **ORDINANCE 21-\_\_\_\_POINT OF SALE (POS)**

AN ORDINANCE OF THE COUNTY OF PINELLAS, PROVIDING THAT THE PINELLAS COUNTY CODE BE AMENDED BY ADDING AN ARTICLE TO BE NUMBERED VII; PROVIDING THAT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AREAS EMBRACED; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Pinellas County owns and operates wastewater facilities and related collection, transmission, and treatment infrastructure (“System”); and

WHEREAS, in addition to maintaining the System, the Board of County Commissioners also establishes policies governing the use of the System for the purpose of maintaining efficient, economic and safe operation of the System and for the protection of the health, safety and general welfare of the public within Pinellas County; and

WHEREAS, the Pinellas County Code currently provides, among other provisions, that a purpose of the regulations and requirements currently codified is to prevent and abate pollution through the regulation and control of connections to the county sewer system and to limit the use of the sewer system to the collection, conveyance, treatment and disposal of wastewater through appropriate regulation and enforcement; and

WHEREAS, in order to protect the environment from biological, nutrient, and other types of contaminants, as well as to ensure that financial investment in the System is accurately guided so that rate-payer funds are applied to create an appropriately engineered and functioning System, policies and programs are needed to address the various contributing factors that may cause inappropriate discharges to the System, or to increase the risk of sanitary sewer overflows (SSO) and the potential for regulatory action connected therewith; and

WHEREAS, the risk for adverse impacts to the System as well as of the occurrence of SSOs is increased when stormwater, groundwater or other inappropriate sources of discharge enter the sewer infrastructure, collectively referred to as Inflow and Infiltration (I&I); and

WHEREAS, a known source of I&I exists in portions of private plumbing infrastructure, in particular the portions of private plumbing that transmit wastewater from a building collection system to the System (Sewer Lateral), when Sewer Laterals through causes including material degradation, damage, and age begin to admit unintended discharges; and

WHEREAS, private Sewer Laterals belong to the property owner and are not County-owned infrastructure, but they are connected to and have a significant influence on County owned infrastructure by conveying material into the System; and

WHEREAS, the Board therefore finds that a public purpose is served by eliminating the risk, to the extent possible, that a defective private Sewer Lateral can contribute I&I to the System,

which could result in SSOs or other burdens and expenses that would become a burden to the rate-payers of the System; and

WHEREAS, it is not only in the best interests of the environment and the residents of Pinellas County that private Sewer Laterals are maintained in a state of good working order, but the Board has already established minimum housing standards that require the maintenance in good repair of private plumbing conveyances, including Sewer Laterals;

WHEREAS, the County wishes to additionally and proactively reduce the amount of I&I originating from defective private Sewer Laterals; and

WHEREAS, the Board has determined that policies and programs that address these obstacles to private Sewer Lateral repair support the public purposes described herein; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, that:

SECTION 1. That the Pinellas County Code is hereby amended by creating a new article to Chapter 126 to be numbered VII which article reads as follows:

## **ARTICLE VII.**

### **PRIVATELY-OWNED COLLECTION AND TRANSMISSION SYSTEMS**

#### **DIVISION 1.**

#### **IN GENERAL**

#### **Sec. 126-700. Definitions.**

*Cleanout* means a segment of pipe connected to an underground private sewer lateral and rising to the surface, providing access to the sewer lateral for purposes of inspection and cleaning.

*Competent Professional* means a Licensed Plumbing Contractor, or other person with all required professional licensure and the professional and technical competency to perform the scope of work included in a Private Sewer Lateral Inspection within Pinellas County

*Defective* means, as applied to a Private Sewer Lateral, a Private Sewer Lateral for which any of the following conditions exist upon inspection by a licensed plumbing contractor or other competent professional:

- i. evidence of pipe or joint cracks or deterioration;
- ii. root intrusion into a pipe that separates a pipe joint or enlarges an existing crack;
- iii. a misaligned pipe segment, sag, or lack of positive gradient;

- iv. a lack of a necessary cleanout cap or manhole cover;
- v. a downspout, drain, defective cleanout or other connection that allows storm water or other extraneous water to enter the sanitary sewer collection system; or
- vi. a flaw or active leak that allows the discharge of sewage on the property or the introduction of extraneous water into the sanitary sewer collection system.

*Inflow and Infiltration (I&I)* “Infiltration” occurs when groundwater enters a sewer system through broken pipes or defective pipe joints. “Inflow” is surface runoff that enters a sewer system through manhole covers, exposed broken pipe and defective pipe joints, cross connections between storm sewer and sanitary sewers, and illegal connection of roof leaders, cellar drains, yard drains, or catch basins.

*Licensed Plumbing Contractor* means a plumber licensed and insured in the State of Florida pursuant to Chapter 553 and Section 489.105, Florida Statutes.

*Orangeburg pipe* (also known as "fiber conduit", "bituminous fiber pipe" or "Bermico") is a coal tar or bitumen impregnated wood fiber pipe.

*Private sewer lateral* means that privately owned part of a drainage system up to the right-of-way which connects at the point sewage leaves a structure or building and carries sewage, excluding storm, surface and ground water, to a public sewage collection system, and which may sometimes be referred to as a building sewer or related term, but which shall nonetheless be embraced by this definition and subject to the corresponding requirements set out in this Article.

*Private sewer lateral maintenance* means the routine inspection, flushing, rodding, and removal of grease, roots, and debris of a private sewer lateral of located within private property up to the right-of-way to maintain a free-flowing condition.

*Property* means any real property, or portion thereof, located in the County, including buildings or structures and private sewer infrastructure situated on the surface or beneath the surface of the property, including the private sewer lateral up to the right-of-way.

*Rehabilitation* as applied to private sewer laterals means the lining of the complete length of the private sewer lateral with a cured-in-place liner to bring the private sewer lateral into compliance with the minimum functional requirements established by this code.

*Repair* means the replacement of existing work with the same kind of material used in the existing work, not including additional work that would change the structural safety of the building or that would affect or change required exit facilities, a vital element of elevator, plumbing, gas piping, wiring or heating installations, or that would be in violation of a provision of law, provision of this Code or other County ordinance. The term "repair" shall not apply to any change of construction. The term “repair” as applied to private sewer laterals means construction activities performed on a portion of the private sewer lateral to bring the private sewer lateral into compliance with this Article.



*Replacement* as applied to private sewer laterals means the installation of a complete new private sewer lateral.

*Sanitary Sewer Overflow (SSO)* means a wastewater overflow from a manhole, a confined repair site, or directly onto the ground from a sewer line break in the sanitary collection and transmission system (regardless of volume) within the Pinellas County sewer service area.

*Wastewater Pump Station* means any privately-owned pump station which receives wastewater from a gravity or forced sewer main.

*Wastewater Facility (WWF)* means any facility which discharges wastes into waters of the State, or which can reasonably be expected to be a source of water pollution and includes any or all of the following: the collection and transmission system, the wastewater treatment works, the reuse or disposal system, and the residuals management facility.

#### **Sec. 126-701. Intent.**

This Article sets forth the criteria and requirements for the proper maintenance of new and existing Private Sewer Laterals, as well as related infrastructure comprising a private transmission system servicing a building and discharging to the County's Sanitary Sewer System. Included within this Article are requirements for Private Sewer Lateral performance, inspection, reporting, maintenance, repair, and rehabilitative procedures required by all property owners discharging to the County's Sanitary Sewer System. This Article supports the county's compliance with all applicable State and Federal laws required by the "Clean Water Act of 1977" (hereinafter referred to as the CWA), and Chapter 62-604, Florida Administrative Code. The requirements of this Article are supplemental to all other applicable regulations, including those stated elsewhere in this Code.

The objectives of this Article are as follows:

- (1) To minimize the introduction of groundwater or other unauthorized flows into the Pinellas County Sanitary Sewer System resulting from I&I.
- (2) To educate and inform owners of Private Sewer Laterals and related plumbing components of their responsibilities in regard to sanitary sewer system I&I and offer guidance to minimize I&I.
- (3) To ensure strict adherence to construction and maintenance standards applicable to Private Sewer Laterals.
- (4) To reduce the potential for the occurrence of SSOs.

## **Sec. 126-702. Applicability.**

The conditions of this article are applicable to all users of the county's sanitary sewer system. Except as otherwise provided herein, the County Administrator or designee shall administer, implement, and enforce the provisions of this Article.

## **Sec. 126-703. Prohibitions and performance criteria.**

(1) General Prohibitions. In addition to all other requirements and prohibitions, including but not limited to those in Sec. 126-327, 126-328, and 126-329 of this Code, the following acts and the causing thereof are strictly prohibited:

(a) The ownership and/or maintenance of any component comprising or associated with a Private Sewer Lateral in a condition which will not assure an impervious connection to the sanitary sewer system to which it is connected.

(b) The submission by any person or owner of a Private Sewer Lateral, or employee, contractor, or agent thereof, of misleading, false, or inaccurate information to Pinellas County, either knowingly or through neglect.

(2) Private Sewer Laterals located upon privately-owned real property will be the responsibility of the private real property owner. Responsible parties will ensure the maintenance in good repair of a Private Sewer Lateral, including through any necessary inspection thereof, and will Repair, Rehabilitate, or Replace any portions of the Private Sewer Lateral that are Defective. Pinellas County may commence enforcement actions, if deemed necessary, to achieve cessation of infiltration and/or inflow.

## **Sec. 126-704. Private Sewer Lateral Inspections**

(1) *Inspections Incident to Transfer of Title* Private sewer laterals must be inspected by a licensed plumbing contractor, or other competent professional, prior to, or within 30 days following, the transfer from one party to another of title to a Property which is connected to the County sanitary sewer system, a Certification of Private Sewer Lateral Inspection (Certification) must be provided to the County. The Certification must be in a form established by the County and completed by a competent professional.

(2) *Inspection Requirements* Inspections of Private Sewer Laterals must be performed by a Competent Professional. The inspection and recording must be performed so that it is possible to clearly observe and assess the condition of the full length of the Private Sewer Lateral. A closed-circuit television (CCTV) camera or other video recording technology is required, and proper lighting must be used such that the condition of the full length of the pipe can be inspected and recorded. Any debris, roots, or grease that impede the camera or interfere with the ability to fully view the pipe condition must be removed

prior to inspection and all such conditions must be recorded and reported. All Private Sewer Lateral inspections must include a report summarizing the conditions found in the lateral and the date of delivery of the report to the property owner. The property owner or licensed plumbing contractor must submit a copy of the report, and video recording if applicable, to the County within 30 days of completion and delivery to the owner.

- (3) *Repair of Defective Private Sewer Laterals* If a Private Sewer Lateral is found to be Defective, it must be repaired, rehabilitated or replaced at the expense of the property owner within one year of the date of an inspection, or the date on which the owner became aware of that a Private Sewer Lateral was Defective.

## **Sec. 126-705. Enforcement**

The provisions of this article may be enforced as provided in section 1-8 of this Code.

Secs. 126-706--126-750. Reserved.

SECTION (TBD). Severability. If any Section, Subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

SECTION (TBD). Areas Embraced. This Ordinance shall be effective in the incorporated as well as unincorporated areas of the County.

SECTION (TBD). Inclusion in Code. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Pinellas County Code and that the sections of this Ordinance may be renumbered or relettered and the word “ordinance” may be changed to section, article or such other appropriate word or phrase in order to accomplish such intentions.

SECTION (TBD). Filing of Ordinance; Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the ordinance with the Department of State.

## **ORDINANCE 21-\_\_\_\_PERMITTING**

AN ORDINANCE OF THE COUNTY OF PINELLAS, PROVIDING THAT THE PINELLAS COUNTY CODE BE AMENDED BY ADDING AN ARTICLE TO BE NUMBERED VII; PROVIDING THAT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AREAS EMBRACED; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Pinellas County owns and operates wastewater facilities and related collection, transmission, and treatment infrastructure (“System”); and

WHEREAS, in addition to maintaining the System, the Board of County Commissioners also establishes policies governing the use of the System for the purpose of maintaining efficient, economic and safe operation of the System and for the protection of the health, safety and general welfare of the public within Pinellas County; and

WHEREAS, the Pinellas County Code currently provides, among other provisions, that a purpose of the regulations and requirements currently codified is to prevent and abate pollution through the regulation and control of connections to the county sewer system and to limit the use of the sewer system to the collection, conveyance, treatment and disposal of wastewater through appropriate regulation and enforcement; and

WHEREAS, in order to protect the environment from biological, nutrient, and other types of contaminants, as well as to ensure that financial investment in the System is accurately guided so that rate-payer funds are applied to create an appropriately engineered and functioning System, policies and programs are needed to address the various contributing factors that may cause inappropriate discharges to the System, or to increase the risk of sanitary sewer overflows (SSO) and the potential for regulatory action connected therewith; and

WHEREAS, the risk for adverse impacts to the System as well as of the occurrence of SSOs is increased when stormwater, groundwater or other inappropriate sources of discharge enter the sewer infrastructure, collectively referred to as Inflow and Infiltration (I&I); and

WHEREAS, a known source of I&I exists in portions of private plumbing infrastructure, in particular the portions of private plumbing that transmit wastewater from a building collection system to the System (Sewer Lateral), when Sewer Laterals through causes including material degradation, damage, and age begin to admit unintended discharges; and

WHEREAS, private Sewer Laterals belong to the property owner and are not County-owned infrastructure, but they are connected to and have a significant influence on County owned infrastructure by conveying material into the System; and

WHEREAS, the Board therefore finds that a public purpose is served by eliminating the risk, to the extent possible, that a defective private Sewer Lateral can contribute I&I to the System,



which could result in SSOs or other burdens and expenses that would become a burden to the rate-payers of the System; and

WHEREAS, it is not only in the best interests of the environment and the residents of Pinellas County that private Sewer Laterals are maintained in a state of good working order, but the Board has already established minimum housing standards that require the maintenance in good repair of private plumbing conveyances, including Sewer Laterals;

WHEREAS, the County wishes to additionally and proactively reduce the amount of I&I originating from defective private Sewer Laterals; and

WHEREAS, the Board has determined that policies and programs that address these obstacles to private Sewer Lateral repair support the public purposes described herein; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, that:

SECTION 1. That the Pinellas County Code is hereby amended by creating a new article to Chapter 126 to be numbered VII which article reads as follows:

## **ARTICLE VII.**

### **PRIVATELY-OWNED COLLECTION AND TRANSMISSION SYSTEMS**

#### **DIVISION 1.**

#### **IN GENERAL**

##### **Sec. 126-700. Definitions.**

*Cleanout* means a segment of pipe connected to an underground private sewer lateral and rising to the surface, providing access to the sewer lateral for purposes of inspection and cleaning.

*Competent Professional* means a Licensed Plumbing Contractor, or other person with all required professional licensure and the professional and technical competency to perform the scope of work included in a Private Sewer Lateral Inspection

*Defective* means, as applied to a Private Sewer Lateral, a Private Sewer Lateral for which any of the following conditions exist upon inspection by a licensed plumbing contractor or other competent professional:

- i. evidence of pipe or joint cracks or deterioration;
- ii. root intrusion into a pipe that separates a pipe joint or enlarges an existing crack;
- iii. a misaligned pipe segment, sag, or lack of positive gradient;

- iv. a lack of a necessary cleanout cap or manhole cover;
- v. a downspout, drain, defective cleanout or other connection that allows storm water or other extraneous water to enter the sanitary sewer collection system; or
- vi. a flaw or active leak that allows the discharge of sewage on the property or the introduction of extraneous water into the sanitary sewer collection system.

*Inflow and Infiltration (I&I)* “Infiltration” occurs when groundwater enters a sewer system through broken pipes or defective pipe joints. “Inflow” is surface runoff that enters a sewer system through manhole covers, exposed broken pipe and defective pipe joints, cross connections between storm sewer and sanitary sewers, and illegal connection of roof leaders, cellar drains, yard drains, or catch basins.

*Licensed Plumbing Contractor* means a plumber licensed and insured in the State of Florida pursuant to Chapter 553 and Section 489.105, Florida Statutes.

*Orangeburg pipe* (also known as "fiber conduit", "bituminous fiber pipe" or "Bermico") is a coal tar or bitumen impregnated wood fiber pipe.

*Private sewer lateral* means that privately owned part of a drainage system up to the right-of-way which connects at the point sewage leaves a structure or building and carries sewage, excluding storm, surface and ground water, to a public sewage collection system, and which may sometimes be referred to as a building sewer or related term but which shall nonetheless be embraced by this definition and subject to the corresponding requirements set out in this Article.

*Private sewer lateral maintenance* means the routine inspection, flushing, rodding, and removal of grease, roots, and debris of a private sewer lateral of located within private property up to the right-of-way to maintain a free-flowing condition.

*Property* means any real property, or portion thereof, located in the County, including buildings or structures and private sewer infrastructure situated on the surface or beneath the surface of the property, including the private sewer lateral up to the right-of-way.

*Rehabilitation* as applied to private sewer laterals means the lining of the complete length of the private sewer lateral with a cured-in-place liner to bring the private sewer lateral into compliance with the minimum functional requirements established by this code.

*Repair* means the replacement of existing work with the same kind of material used in the existing work, not including additional work that would change the structural safety of the building or that would affect or change required exit facilities, a vital element of elevator, plumbing, gas piping, wiring or heating installations, or that would be in violation of a provision of law, provision of this Code or other County ordinance. The term "repair" shall not apply to any change of construction. The term “repair” as applied to private sewer laterals means construction activities performed on a portion of the private sewer lateral to bring the private sewer lateral into compliance with this Article.

*Replacement* as applied to private sewer laterals means the installation of a complete new private sewer lateral.

*Sanitary Sewer Overflow (SSO)* means a wastewater overflow from a manhole, a confined repair site, or directly onto the ground from a sewer line break in the sanitary collection and transmission system (regardless of volume) within the Pinellas County sewer service area.

*Wastewater Pump Station* means any privately-owned pump station which receives wastewater from a gravity or forced sewer main.

*Wastewater Facility (WWF)* means any facility which discharges wastes into waters of the State or which can reasonably be expected to be a source of water pollution and includes any or all of the following: the collection and transmission system, the wastewater treatment works, the reuse or disposal system, and the residuals management facility.

#### **Sec. 126-701. Intent.**

This Article sets forth the criteria and requirements for the proper maintenance of new and existing Private Sewer Laterals, as well as related infrastructure comprising a private transmission system servicing a building and discharging to the County's Sanitary Sewer System. Included within this Article are requirements for Private Sewer Lateral performance, inspection, reporting, maintenance, repair, and rehabilitative procedures required by all property owners discharging to the County's Sanitary Sewer System. This Article supports the county's compliance with all applicable State and Federal laws required by the "Clean Water Act of 1977" (hereinafter referred to as the CWA), and Chapter 62-604, Florida Administrative Code. The requirements of this Article are supplemental to all other applicable regulations, including those stated elsewhere in this Code.

The objectives of this Article are as follows:

- (1) To minimize the introduction of groundwater or other unauthorized flows into the Pinellas County Sanitary Sewer System resulting from I&I.
- (2) To educate and inform owners of Private Sewer Laterals and related plumbing components of their responsibilities in regard to sanitary sewer system I&I and offer guidance to minimize I&I.
- (3) To ensure strict adherence to construction and maintenance standards applicable to Private Sewer Laterals.
- (4) To reduce the potential for the occurrence of SSOs.

### **Sec. 126-702. Applicability.**

The conditions of this article are applicable to all users of the county's sanitary sewer system. Except as otherwise provided herein, the County Administrator or designee shall administer, implement, and enforce the provisions of this Article.

### **Sec. 126-703. Prohibitions and performance criteria.**

(1) General Prohibitions. In addition to all other requirements and prohibitions, including but not limited to those in Sec. 126-327, 126-328, and 126-329 of this Code, the following acts and the causing thereof are strictly prohibited:

(a) The ownership and/or maintenance of any component comprising or associated with a Private Sewer Lateral in a condition which will not assure an impervious connection to the sanitary sewer system to which it is connected.

(b) The submission by any person or owner of a Private Sewer Lateral, or employee, contractor, or agent thereof, of misleading, false, or inaccurate information to Pinellas County, either knowingly or through neglect.

(2) Private Sewer Laterals located upon privately-owned real property will be the responsibility of the private real property owner. Responsible parties will ensure the maintenance in good repair of a Private Sewer Lateral, including through any necessary inspection thereof, and will Repair, Rehabilitate, or Replace any portions of the Private Sewer Lateral that are Defective. Pinellas County may commence enforcement actions, if deemed necessary, to achieve cessation of infiltration and/or inflow.

### **Sec. 126-704. Private Sewer Lateral Inspections**

(1) *Occurrences Requiring Inspection* Private sewer laterals must be inspected by a licensed plumbing contractor, or other competent professional, when a building permit application is filed for an improvement on the property that would alter or expand any component of the building collection system that flows into the Private Sewer Lateral, including any drain or fixture. *Inspection* Private sewer laterals must be inspected by a licensed plumbing contractor, or other competent professional, upon the occurrence of any of the following:

- a. when a building permit application is filed for an improvement on the property that would increase square footage of the structure;



- b. when a building permit application is filed for an improvement on the property that would alter or expand any component of the building collection system that flows into the Private Sewer Lateral, including any drain or fixture;
- c. when a building permit application is filed for any improvement where the estimated cost value is fifty percent of the structure's appraised value.

(2) *Inspection Requirements* Inspections of Private Sewer Laterals must be performed by a Competent Professional. The inspection and recording must be performed so that it is possible to clearly observe and assess the condition of the full length of the Private Sewer Lateral. A closed circuit television (CCTV) camera or other video recording technology is required, and proper lighting must be used such that the condition of the full length of the pipe can be inspected and recorded. Any debris, roots, or grease that impede the camera or interfere with the ability to fully view the pipe condition must be removed prior to inspection and all such conditions must be recorded and reported. All Private Sewer Lateral inspections must include a report summarizing the conditions found in the lateral and the date of delivery of the report to the property owner. The property owner or licensed plumbing contractor must submit a copy of the report, and video recording if applicable, to the County within 30 days of notice from the County that an inspection is required. Failure to complete the inspection within 30 days will result in a denial of the building permit application and a new permit application must be filed including all permit application fees as applicable.

(3) *Repair of Defective Private Sewer Laterals* If a Private Sewer Lateral is found to be Defective, it must be repaired, rehabilitated or replaced at the expense of the property owner within one year of the date of an inspection, or the date on which the owner became aware of that a Private Sewer Lateral was Defective.

## **Sec. 126-705. Enforcement**

The provisions of this article may be enforced as provided in section 1-8 of this Code.

Secs. 126-706--126-750. Reserved.

**SECTION (TBD).** Severability. If any Section, Subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

**SECTION (TBD).** Areas Embraced. This Ordinance shall be effective in the incorporated as well as unincorporated areas of the County.

**SECTION (TBD).** Inclusion in Code. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the

Pinellas County Code and that the sections of this Ordinance may be renumbered or relettered and the word “ordinance” may be changed to section, article or such other appropriate word or phrase in order to accomplish such intentions.

SECTION (TBD).     Filing of Ordinance; Effective Date.     Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the ordinance with the Department of State.

DRAFT

## ORDINANCE 21-\_\_\_\_ FIND AND FIX

AN ORDINANCE OF THE COUNTY OF PINELLAS, PROVIDING THAT THE PINELLAS COUNTY CODE BE AMENDED BY ADDING AN ARTICLE TO BE NUMBERED VII; PROVIDING THAT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AREAS EMBRACED; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Pinellas County owns and operates wastewater facilities and related collection, transmission, and treatment infrastructure (“System”); and

WHEREAS, in addition to maintaining the System, the Board of County Commissioners also establishes policies governing the use of the System for the purpose of maintaining efficient, economic and safe operation of the System and for the protection of the health, safety and general welfare of the public within Pinellas County; and

WHEREAS, the Pinellas County Code currently provides, among other provisions, that a purpose of the regulations and requirements currently codified is to prevent and abate pollution through the regulation and control of connections to the county sewer system and to limit the use of the sewer system to the collection, conveyance, treatment and disposal of wastewater through appropriate regulation and enforcement; and

WHEREAS, in order to protect the environment from biological, nutrient, and other types of contaminants, as well as to ensure that financial investment in the System is accurately guided so that rate-payer funds are applied to create an appropriately engineered and functioning System, policies and programs are needed to address the various contributing factors that may cause inappropriate discharges to the System, or to increase the risk of sanitary sewer overflows (SSO) and the potential for regulatory action connected therewith; and

WHEREAS, the risk for adverse impacts to the System as well as of the occurrence of SSOs is increased when stormwater, groundwater or other inappropriate sources of discharge enter the sewer infrastructure, collectively referred to as Inflow and Infiltration (I&I); and

WHEREAS, a known source of I&I exists in portions of private plumbing infrastructure, in particular the portions of private plumbing that transmit wastewater from a building collection system to the System (Sewer Lateral), when Sewer Laterals through causes including material degradation, damage, and age begin to admit unintended discharges; and

WHEREAS, private Sewer Laterals belong to the property owner and are not County-owned infrastructure, but they are connected to and have a significant influence on County owned infrastructure by conveying material into the System; and

WHEREAS, the Board therefore finds that a public purpose is served by eliminating the risk, to the extent possible, that a defective private Sewer Lateral can contribute I&I to the System,

which could result in SSOs or other burdens and expenses that would become a burden to the rate-payers of the System; and

WHEREAS, it is not only in the best interests of the environment and the residents of Pinellas County that private Sewer Laterals are maintained in a state of good working order, but the Board has already established minimum housing standards that require the maintenance in good repair of private plumbing conveyances, including Sewer Laterals;

WHEREAS, the County wishes to additionally and proactively reduce the amount of I&I originating from defective private Sewer Laterals; and

WHEREAS, the Board has determined that policies and programs that address these obstacles to private Sewer Lateral repair support the public purposes described herein; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, that:

SECTION 1. That the Pinellas County Code is hereby amended by creating a new article to Chapter 126 to be numbered VII which article reads as follows:

## **ARTICLE VII.**

### **PRIVATELY-OWNED COLLECTION AND TRANSMISSION SYSTEMS**

#### **DIVISION 1.**

#### **IN GENERAL**

##### **Sec. 126-700. Definitions.**

*Cleanout* means a segment of pipe connected to an underground private sewer lateral and rising to the surface, providing access to the sewer lateral for purposes of inspection and cleaning.

*Competent Professional* means a Licensed Plumbing Contractor, or other person with all required professional licensure and the professional and technical competency to perform the scope of work included in a Private Sewer Lateral Inspection

*Defective* means, as applied to a Private Sewer Lateral, a Private Sewer Lateral for which any of the following conditions exist upon inspection by a licensed plumbing contractor or other competent professional:

- i. evidence of pipe or joint cracks or deterioration;
- ii. root intrusion into a pipe that separates a pipe joint or enlarges an existing crack;
- iii. a misaligned pipe segment, sag, or lack of positive gradient;



- iv. a lack of a necessary cleanout cap or manhole cover;
- v. a downspout, drain, defective cleanout or other connection that allows storm water or other extraneous water to enter the sanitary sewer collection system; or
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*Licensed Plumbing Contractor* means a plumber licensed and insured in the State of Florida pursuant to Chapter 553 and Section 489.105, Florida Statutes.

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*Private sewer lateral maintenance* means the routine inspection, flushing, rodding, and removal of grease, roots, and debris of a private sewer lateral of located within private property up to the right-of-way to maintain a free-flowing condition.

*Property* means any real property, or portion thereof, located in the County, including buildings or structures and private sewer infrastructure situated on the surface or beneath the surface of the property, including the private sewer lateral up to the right-of-way.

*Rehabilitation* as applied to private sewer laterals means the lining of the complete length of the private sewer lateral with a cured-in-place liner to bring the private sewer lateral into compliance with the minimum functional requirements established by this code.

*Repair* means the replacement of existing work with the same kind of material used in the existing work, not including additional work that would change the structural safety of the building or that would affect or change required exit facilities, a vital element of elevator, plumbing, gas piping, wiring or heating installations, or that would be in violation of a provision of law, provision of this Code or other County ordinance. The term "repair" shall not apply to any change of construction. The term “repair” as applied to private sewer laterals means construction activities performed on a portion of the private sewer lateral to bring the private sewer lateral into compliance with this Article.

*Replacement* as applied to private sewer laterals means the installation of a complete new private sewer lateral.

*Sanitary Sewer Overflow (SSO)* means a wastewater overflow from a manhole, a confined repair site, or directly onto the ground from a sewer line break in the sanitary collection and transmission system (regardless of volume) within the Pinellas County sewer service area.

*Wastewater Pump Station* means any privately-owned pump station which receives wastewater from a gravity or forced sewer main.

*Wastewater Facility (WWF)* means any facility which discharges wastes into waters of the State or which can reasonably be expected to be a source of water pollution and includes any or all of the following: the collection and transmission system, the wastewater treatment works, the reuse or disposal system, and the residuals management facility.

#### **Sec. 126-701. Intent.**

This Article sets forth the criteria and requirements for the proper maintenance of new and existing Private Sewer Laterals, as well as related infrastructure comprising a private transmission system servicing a building and discharging to the County's Sanitary Sewer System. Included within this Article are requirements for Private Sewer Lateral performance, inspection, reporting, maintenance, repair, and rehabilitative procedures required by all property owners discharging to the County's Sanitary Sewer System. This Article supports the county's compliance with all applicable State and Federal laws required by the "Clean Water Act of 1977" (hereinafter referred to as the CWA), and Chapter 62-604, Florida Administrative Code. The requirements of this Article are supplemental to all other applicable regulations, including those stated elsewhere in this Code.

The objectives of this Article are as follows:

- (1) To minimize the introduction of groundwater or other unauthorized flows into the Pinellas County Sanitary Sewer System resulting from I&I.
- (2) To educate and inform owners of Private Sewer Laterals and related plumbing components of their responsibilities in regard to sanitary sewer system I&I and offer guidance to minimize I&I.
- (3) To ensure strict adherence to construction and maintenance standards applicable to Private Sewer Laterals.
- (4) To have all private laterals within the County sewer system inspected in a prioritized and systematic manner to achieve reduction in I&I and .
- (5) To reduce the potential for the occurrence of SSOs.

### **Sec. 126-702. Applicability.**

The conditions of this article are applicable to all users of the county's sanitary sewer system. Except as otherwise provided herein, the County Administrator or designee shall administer, implement, and enforce the provisions of this Article.

### **Sec. 126-703. Prohibitions and performance criteria.**

(1) General Prohibitions. In addition to all other requirements and prohibitions, including but not limited to those in Sec. 126-327, 126-328, and 126-329 of this Code, the following acts and the causing thereof are strictly prohibited:

(a) The ownership and/or maintenance of any component comprising or associated with a Private Sewer Lateral in a condition which will not assure an impervious connection to the sanitary sewer system to which it is connected.

(b) The submission by any person or owner of a Private Sewer Lateral, or employee, contractor, or agent thereof, of misleading, false, or inaccurate information to Pinellas County, either knowingly or through neglect.

(2) Private Sewer Laterals located upon privately-owned real property will be the responsibility of the private real property owner. Responsible parties will ensure the maintenance in good repair of a Private Sewer Lateral, including through any necessary inspection thereof, and will Repair, Rehabilitate, or Replace any portions of the Private Sewer Lateral that are Defective. Pinellas County may commence enforcement actions, if deemed necessary, to achieve cessation of infiltration and/or inflow.

### **Sec. 126-704. Private Sewer Lateral Inspections**

(1) *Occurrences Requiring Inspection* Private sewer laterals must be inspected by a licensed plumbing contractor, or other competent professional, upon the occurrence of any of the following:

(a) The County is conducting improvements of the sanitary sewer system along the property boundary, in which case the County will offer to inspect the system subject to the owner's written agreement;

(b) The County observes an open and obvious condition indicating a Defective Private Sewer Lateral.

(2) *Inspection Requirements* Inspections of Private Sewer Laterals must be performed by a Competent Professional within 30 days of notification. The inspection and recording must be performed so that it is possible to clearly observe and assess the condition of the full length of the Private Sewer Lateral. A closed-circuit television (CCTV) camera or other video recording technology is required, and proper lighting must be used such that the condition of the full length of the pipe can be inspected and recorded. Any debris, roots, or grease that impede the camera or interfere with the ability to fully view the pipe condition must be removed prior to inspection and all such conditions must be recorded and reported. All Private Sewer Lateral inspections must include a report summarizing the conditions found in the lateral and the date of delivery of the report to the property owner. The property owner or licensed plumbing contractor must submit a copy of the report, and video recording if applicable, to the County within 30 days of completion and delivery to the owner.

(3) *Repair of Defective Private Sewer Laterals* If a Private Sewer Lateral is found to be Defective, it must be repaired, rehabilitated or replaced at the expense of the property owner within one year of the date of an inspection, or the date on which the owner became aware of that a Private Sewer Lateral was Defective.

#### **Sec. 126-705. Enforcement**

The provisions of this article may be enforced as provided in section 1-8 of this Code.

Secs. 126-706--126-750. Reserved.

SECTION (TBD). Severability. If any Section, Subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

SECTION (TBD). Areas Embraced. This Ordinance shall be effective in the incorporated as well as unincorporated areas of the County.

SECTION (TBD). Inclusion in Code. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Pinellas County Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to section, article or such other appropriate word or phrase in order to accomplish such intentions.

SECTION (TBD). Filing of Ordinance; Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk

of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the ordinance with the Department of State.

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## Issue

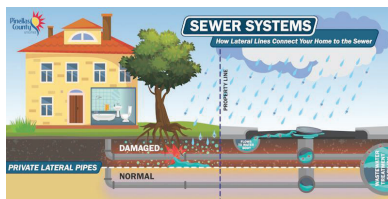
Aging infrastructure contributes to nitrogen and bacteriological pollution in Tampa Bay. During extreme rainfall events, failing lateral sewer lines can introduce groundwater and rainwater into the sanitary sewer system, overwhelming the capacity of wastewater treatment plants to properly treat wastewater before discharging into Tampa Bay. Blockages, breaks, and power failures may also result in overflows of untreated wastewater and nonpoint source pollution to local waterways. Nutrient loads from these unexpected releases can be difficult to estimate and are not directly considered in Nitrogen Management Consortium annual water quality reporting to demonstrate reasonable assurance that designated uses will be maintained or restored (TBNMC 2016).

Compound flooding from extreme rainfall events and sea-level rise is already resulting in more frequent occurrences of sanitary sewer overflows (SSOs) in the Tampa Bay watershed (Meyers et al., 2021). If no additional action is taken, Tampa Bay risks ongoing wastewater management challenges and potential non-attainment of regulatory water quality standards. TBEP and its partners conducted focused market research to better understand the barriers and potential policy interventions to encourage appropriate maintenance of private sanitary sewer laterals.

## Key Messages

- There is a **core knowledge gap**. Lateral sewer lines are often “out of sight, out of mind.” Many homeowners do not know what a lateral sewer line is, where it is located or that it’s their responsibility to maintain it.

**Figure 1.** Visuals are key to making lateral lines more salient.



- **Triggering events** — buying a home or facing a sewer backup — are critical entry points when homeowners are more open to repair and replacement messaging.
- **Trusted intermediaries** — home inspectors, plumbers, and realtors — can play an important role as trusted sources of messaging.
- **Barriers** for lateral sewer line maintenance include **cost, disruption, and fear of the unknown**.
  - **Rebates** are an important tool to reduce cost barriers.

- **Providing greater control** by simplifying the process and options for replacement and repair can also help increase uptake.
- **Reactance is easily provoked**. High-profile SSOs in 2015-16 are still top-of-mind for many local residents, meaning communications emphasizing homeowner responsibility for nutrient and/or bacteriological pollution from their lateral lines can spark anger and pushback (Marketing for Change 2021).

## Options



### Voluntary Inspection, Repair, and/or Replacement

**Advantages:** Behavior change through public dialogue; relatively low costs; targets triggering event when homeowners are more willing to consider an inspection (e.g., buying a home or facing a sewer backup); addresses barriers related to sense of control by emphasizing the benefits of proactive measures

**Disadvantages:** Tracking outcomes challenging (e.g., # inspections, permits, etc.); little motivation to act after inspections (i.e. invest in repair/replacement)



### Rebates for Inspection, Repair, and/or Replacement

**Advantages:** Highly motivating for homeowners, especially when paired with messages emphasizing loss aversion/fear of unexpected expenses; addresses barriers related to cost; improved outcome tracking (e.g., # inspections, permits, etc.)

**Disadvantages:** Relatively high costs; administrative burdens



### Mandated Inspection, Repair, and/or Replacement

**Advantages:** Includes find and fix, point of sale, and/or permitting approaches; clear regulatory framework; potential for more widespread adoption; improved outcome tracking (e.g., # inspections, permits, etc.)

**Disadvantages:** Does not address behavioral determinants/barriers; focus group participants had immediate, off-putting reactions to the idea of required inspection/replacement and expressed a preference for the government to cover the costs of any mandated activities

## REFERENCES

- TBNMC. 2016. [Guidance on Unanticipated Discharge Reporting. Decision Memo 2017RA-02. Tampa Bay Estuary Program. St. Petersburg, Florida.](#)
- S.D. Meyers, S. Landry, M.W. Beck, and M.E. Luther. 2021. [Using logistic regression to model the risk of sewer overflows triggered by compound flooding with application to sea level rise. Urban Climate 35. 100752.](#)
- Marketing for Change. 2021. [Research Report: Private Sanitary Sewer Laterals Behavior Change Campaign. Technical Report #03-21. Tampa Bay Estuary Program. St. Petersburg, Florida.](#)

