

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 8, 2022

AGENDA ITEM: C-7

**ITEM: Consider Second Reading of an Ordinance to Amend Chapter 74, Article II, Division 3, Subdivision III
Section 74-133. Building Sewers and Connections**

PRESENTER: Jade Smith, Municipal Services Director

INDIVIDUALS IN ATTENDANCE: None Anticipated

EXECUTIVE SUMMARY: Canton Township Ordinance Section 74-133 titled "Building and Sewers Connections" currently outlines the process for repairs to water and sewer leads in public rights-of-way, easements, and private property. This ordinance also directs the Public Works Division to maintain a written policy on repairs to private sewer leads and cost sharing with the private building owner. To further describe ownership and maintenance of private sewer and water leads Canton Township Ordinance Section 74-38 titled "Water and Sewer Lead Ownership" specifically states that water and sewer leads shall be defined as the privately-owned service connection from the public water main, or sewer main, to the building. Additionally, Section 74-38 states that ownership and maintenance responsibility for the private water or sewer lead shall remain with the building owner from the point of connection at the public main to the building.

The proposed change to Section 74-133 removes the potential for inconsistency between Sections 74-133 and 74-38. Furthermore, the proposed changes to Section 74-133 promotes and codifies effective Public Works policy and practices by assigning responsibility for maintaining and operating private sewer leads to the appropriate entity. The Public Works Division will also amend their current policy to reflect the changes in the Section 74-133.

BACKGROUND: Recently, a private sewer lead was repaired by the Township as required by the currently adopted policy of the Public Works Division. The private sewer line was damaged on private property. The property owner submitted an invoice for \$17,000 for work done by a private contractor. The Township was not aware of the damage or repair completed by the private contractor. Although the Township's currently adopted policy was followed, it is strongly recommended that the policy and ordinances be amended and adopted to reflect that the Township will no longer participate in cost sharing for repair of private sewer and water leads.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Remove from the table, hold the second reading and adopt an amendment to Chapter 74, Article II, Division 3, Subdivision III Section 74-133 entitled "Building Sewers and Connections";

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: If approved, the ordinance will be published and become effective August 18, 2022.

DIRECTOR'S RECOMMENDATION: Approval

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION:

MODEL RESOLUTION:

1. I move to remove from the table, hold the second reading and adopt an amendment to Chapter 74, Article II, Division 3, Subdivision III Section 74-133 entitled "Building Sewers and Connections"; to be published and become effective on August 18, 2022.

ATTACHMENTS:

1. Ordinance Amendment Clean
2. Ordinance Amendment Redlined
3. Revised Policy PW:10

Sec. 74-133. Building sewers and connections.

....

(q) Repairs to sewer lead. Structural repairs to any damaged portion of the sewer lead located in the public right-of-way and/or easement shall be undertaken by the township, with the written permission of the building owner, for the purpose of minimizing the risk to public health and safety. Ownership of and responsibility for the entire private sewer lead shall however remain with the building owner from the point of connection to the public sewer main to the building, regardless whether the public sewer main is located in an easement and/or within the public right-of-way.

The Public Works Division shall maintain a written policy on repairs to private sewer leads.

(Ord. No. 30, as amended, § 16, 6-10-2003; Ord. of 3-6-2007(2), § 2; Ord. of 6-26-2007(1), § 2; Ord. of 6-10-2008, § 2)

Sec. 74-133. Building sewers and connections.

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The Public Works Division shall maintain a written policy on repairs to private sewer leads. ~~that defines the types of damage that the township will and will not consider cost sharing of with the building owner. The policy shall also define the maximum amount of cost sharing that a building owner would incur for a repair to a private lead located in the public right of way and/or easement.~~

(Ord. No. 30, as amended, § 16, 6-10-2003; Ord. of 3-6-2007(2), § 2; Ord. of 6-26-2007(1), § 2; Ord. of 6-10-2008, § 2)

**CANTON
PUBLIC WORKS
SANITARY SEWER - RESIDENTIAL PRIVATE LEAD REPAIRS**

**PW: 10
Page 1 of 1
Issued: 5/5/2011
Revised: 8/9/2022
Reviewed:**

I. PURPOSE:

The purpose of this policy is to establish guidelines for the repair of privately owned sanitary sewer leads. This policy further clarifies the responsibilities listed in Canton Township Ordinance 74-133, Building and Connections, subsection (q) and Ordinance.

II. OWNERSHIP:

Ownership of and responsibility for the entire sanitary sewer lead shall remain with the property owner from the point of connection to the public sewer main to the building.

Any question on this policy and procedure should be directed to the Public Works Manager.