

Town of Duck Lake
Sewer Backup Policy.1.2

The Town of Duck Lake is responsible for maintaining the main lines and manholes. Property owners are responsible for maintaining the sewer lateral line from the building to the main Town sewer line.

A sewer lateral is the pipeline located between the Town main and the building. The sewer lateral is owned and maintained by the property owner, including any part that may extend into Town property, the street or public right of way.

The Town strives to keep the sewer system in a good state of repair. Occasionally conditions develop that may cause sewage to backup into a residence or business.

By authority given through *The Municipalities Act*, the Town of Duck Lake is not liable in an action based on nuisance, or on any other tort that does not require a finding of intention or negligence for any loss or damage arising, directly or indirectly, from any public works, including streets, or from the operation or non-operation of a public utility; therefore will not assume any liability for any sewer back up damage, loss or cleanup resulting from the failure of the sewer infrastructure regardless of cause unless negligence on the part of the Town can be determined.

The purpose of this policy is to make clear the owners' responsibilities concerning the sewer lines on their property and the steps the owner should take when a backup occurs.

1. Property Owner Responsibility.

- A property owner is responsible for keeping the building sewer lines free from blockages between the structure and the sewer main.
- The owner is required to contact a proper contractor to investigate the problem; as well, the owner is responsible for the cost of the contractor.
- If the problem is determined to be the Town main, the Town will compensate the owner for the cost. This must be documented and fully proven, with supporting evidence, by the property owner. A contractor stating it is Town responsibility is not sufficient.
- If the problem is determined to be the lateral, the owner is responsible for the cost.
- If waste water backup has damaged the owners' property, the resident should take reasonable action to prevent further damage.
- The owner shall take whatever action necessary to correct the problem, including contacting a cleanup or restoration contractor and their insurance provider to determine the level of coverage.

2. Why Sewer Lines Backup

- Many items may become lodged in a sewer line that may be the result in a backup; sticks, rocks, pieces of broken tile, grease, oil, plastics, wipes, etc.
- Fats, oil and grease are a major contributors to sewer backups.
- Under the authority of the Plumbing and Drainage Regulations and the enforcement by the Local Health Authority, restaurants are required to have a grease interceptor and owners are to maintain them in working order.
- Residential users should never discard fats, oil or grease into any drain.
- The cause of a backup in the lateral is often from items the line is not meant to handle.

3. Preventing Sewer Backups

- A gate valve or backwater valve should be installed on every fixture drain connected to a building drain or a branch when the fixture is located below the level of the adjoining street.
- This device, if properly installed and maintained can prevent sewer backup into the residence.
- The install and maintenance is the owner's responsibility.

Recommendations;

- Do not flush anything down any drain that may clog the line.
- Do not dispose of oil or grease in any drain.
- Do not plant trees near the sewer lateral.
- Install a backwater prevention device.
- Owners should be aware that many insurance policies exclude damage from sewer backups. Check with your insurance provider to add this coverage.