

# **MODEL SANITARY SEWER EMERGENCY RESPONSE POLICY**

*This is a sample policy for guideline purposes only. Please consult your Utility attorney when developing your own policy.*

## **Introduction**

The emergency response policy should address those steps the Utility will take to respond to an emergency such as a sanitary sewer backup. It may or may not establish goals or guidelines for the time of response. In the event the Utility does set a goal, that goal should not define a timeframe in which the problem is fixed, but rather should address expectations for how soon after receiving a call a Utility employee is expected to respond to the complaint or problem.

Although written records of each emergency response will be prepared and maintained, this policy may or may not establish parameters for timely completion of such records. As with all areas of the Utility's policy, the policy for documentation of emergency response should be realistic and not impose strict or difficult standards that cannot reasonably be met.

While not required, some cities choose to reimburse property owners for professional cleaning costs associated with a sanitary sewer backup; others choose to compensate residents with a pre-determined dollar amount regardless of liability. Since there is some risk involved in these practices, it is important to clearly define the parameters for such a program:

- Clarify if the payment will be given to the company performing the service or directly to the property owner,
- Note any restrictions on who can perform cleaning services,
- Have the property owner provide documented proof (receipts, etc.) of the services obtained,
- Require the property owner to submit a claim to their insurance company,

Consider those circumstances under which the Utility would not provide reimbursement or payment to a resident (100 year rainfall, electrical failure at a lift station, etc.)

If payment is given to a resident in response to a sewer backup but is not a reimbursement, the Utility must ensure that the payment qualifies as an appropriate public expenditure. The Utility should establish an ordinance stating that the payment in response to a sewer backup is part of the service that residents in the Utility of \_\_\_\_\_ are charged for on their municipal utility/sewer bill.

Be sure to note that providing a payment or reimbursement is not an admission of liability on the part of the Utility nor is the Utility obligated to pay any other costs.

## Model Policy Language

### 1. Procedure

It is the Utility's policy to respond to sewer backups, lift station problems or failures, or other system problems or failures 24 hours a day, 365 days a year. During normal business hours, all calls and reported problems will be routed to and employees dispatched by the \_\_\_\_\_ (*insert name of department*) department. Normal business hours are from \_\_\_\_\_ a.m. to \_\_\_\_\_ p.m., Monday through Friday, excluding legal holidays. At all times other than normal business hours, emergency calls will be routed to \_\_\_\_\_ (*insert name of department or title of employee*). The \_\_\_\_\_ (*insert title of employee: public works director, utility superintendent, team supervisor, etc.*) will designate one or more employees as "on call" during non-business hours and will develop an on-call schedule and on-call response procedures.

### 2. Response

It is the goal of the department to provide an initial response within \_\_\_\_\_ (*insert number of hours*), or as soon as possible under the circumstances, of receiving report of a problem or an emergency call. The time necessary to remedy a problem will vary depending on the number of calls, the nature and seriousness of the problem, weather, and other factors that may impact the department's ability to respond, find and correct a reported problem.

When appropriate, a Utility employee will check the Utility's sanitary sewer main at the point of the problem. Corrective action will be taken if the Utility's sanitary sewer main is found to be blocked or obstructed.

When a blockage found in a sanitary sewer main is causing a backup into a private portion of the system, the first priority will be to address the problem in the Utility's sanitary sewer main.

After a sanitary sewer backup is remedied, efforts to determine the cause of the blockage or backup will be undertaken by those responding to the emergency. Written records of emergency response will include information and documentation concerning the cause(s) or possible cause(s) of the blockage or backup.

When investigation of a backup determines that the problem is within the private portion of the sanitary sewer system, the sewer customer will be informed of possible corrective action they may have to perform on their portion of the system.

### 3. Reporting

The State Warning Point (1-800-320-0519) must be notified when bypassing the Utility's sanitary sewer system or otherwise discharging sewage anywhere other than to the Utility's sanitary sewer system.

The State Warning Point must be notified within one hour of discovery of sewage being discharged anywhere other than to the Utility's sanitary sewer system.

**Utility employees are instructed to not admit or mislead residents about Utility liability for backups in the municipal sanitary sewer system.**