

**ORDINANCE NO. 117**

**AN ORDINANCE OF THE CUPERTINO SANITARY DISTRICT  
AMENDING PROPERTY LINE CLEANOUT  
AND  
MAINTENANCE OF SEWER LATERAL**

**The Sanitary Board of the Cupertino Sanitary District, Santa Clara County, California, hereby ordains as follows:**

**SECTION 1:** Existing Section 4101, "Cleanouts" and Section 4103, "Maintenance of Sewer Lateral" are deleted in its' entirety and replaced and are approved to read as follows:

**4101. CLEANOUTS**

Cleanouts are required as follows:

- 1) For all new developments
- 2) For all existing property fronting public street requiring building permit which meets any of the following conditions:
  - a. Any new plumbing fixture is added.
  - b. Total cost of improvements exceeds \$50,000.
  - c. Upper lateral (from building to property line) is being replaced or repaired.
- 3) Any property in which there is a sewer blockage as a result of defect in the existing cleanout.
- 4) Any property in which District has performed CCTV inspection and has determined PACP defect 4 or greater or cleanout size is less than 4 inches in diameter. PACP refers to National Association of Sewer Service Companies (NASSCO) Pipe Assessment Certification Program (PACP).

Except situations listed below:

- 1) At the option of the property owner, cleanout may be installed on properties fronting on private streets
- 2) At the option of the property owner, cleanout may be installed on properties served via a sewer main located in an easement
- 3) At the option of the property owner, cleanout may be installed in existing developed property fronting public street at any time at the request of property owner for ease of maintenance per Section 4103

Cleanouts shall be installed by the property owner at no cost to the District. New cleanout shall conform to the Current District Standard for all of above conditions. Connection of the cleanout to the existing lower lateral shall be made where the existing lower lateral is in good condition as determined by the District. If the point of connection is more than three (3) feet from the cleanout, District will reimburse

the owner at Sixty (60) Dollars per foot. District has the final authority for determining the point of connection.

#### **4103. MAINTENANCE AND REPAIR OF SEWER LATERAL**

##### **Sewer Laterals served by sewer main located in public street right of way**

If there is no cleanout, the entire upper lateral (from street right of way to the building) and lower lateral (from street right of way to the sewer main) shall be maintained by the property owner. During the course of maintenance, if the lower lateral is determined to be defective and needs to be repaired, District will be responsible for such repair. In connection with the said repair, a new cleanout shall be installed per Section 4101 at the property owner's expense. Property owner will have the option to hire its' own contractor for the cleanout installation or pay District's contractor for the installation of the cleanout.

If there is a cleanout, which is 4 inches or larger, District will be responsible for maintenance and repair of the lower lateral (from point of connection at the cleanout to sewer main).

During the District maintenance and operations, if the existing cleanout is determined to be defective per Section 4101 (4), a new cleanout will be required and shall be installed per Section 4101 at the property owner's expense.

Cleanouts are owned, maintained and repaired by the property owner, including point of connection.

##### **Sewer laterals served by sewer main located in sewer easements, private streets or public service easements**

All sewer laterals from the sewer main to the building are owned, maintained and repaired at the property owners' expense, including any costs associated with sanitary sewer overflow and spills.

District will be responsible for all sewer mains located within the easements, including point of lateral connection to the main.

If a 4" or larger standard and serviceable property line cleanout exists and located in an accessible area, District will service and provide maintenance to the lateral from said cleanout to the main.

District reserves the right to request reconstruction and/or repair of any sewer lateral that may affect District's sanitary sewer main line. District will notify the property owner of said reconstruction or repair. Property owner will reconstruct or repair within 60 calendar days from said notice at the property owner's expense.

Cleanout is owned, maintained and repaired by the property owner, including point of connection.

**SECTION 2:** Upon adoption this Ordinance shall be entered in the minutes of the Sanitary Board and a summary of this Ordinance prepared by the District Counsel shall be published once in the Cupertino Courier and the Saratoga News, being newspapers of general circulation in the District. A certified copy of the full text of this Ordinance shall be posted in the office of the District Clerk.

**SECTION 3:** This Ordinance shall become effective upon expiration of the week of publication.

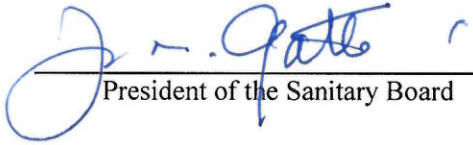
**PASSED AND ADOPTED** at a regular meeting of the Sanitary Board of the Cupertino Sanitary District held on the 21 day of Dec, 2016, by the following vote:

AYES: Directors Gatto, Bosworth, Chen, Kwok, ~~Gatto~~ and Saadati


NOES: None

ABSTAIN: None

ABSENT: None

  
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President of the Sanitary Board

ATTEST: ~~None~~

  
\_\_\_\_\_  
Secretary

APPROVED AS TO FORM:

  
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District Counsel