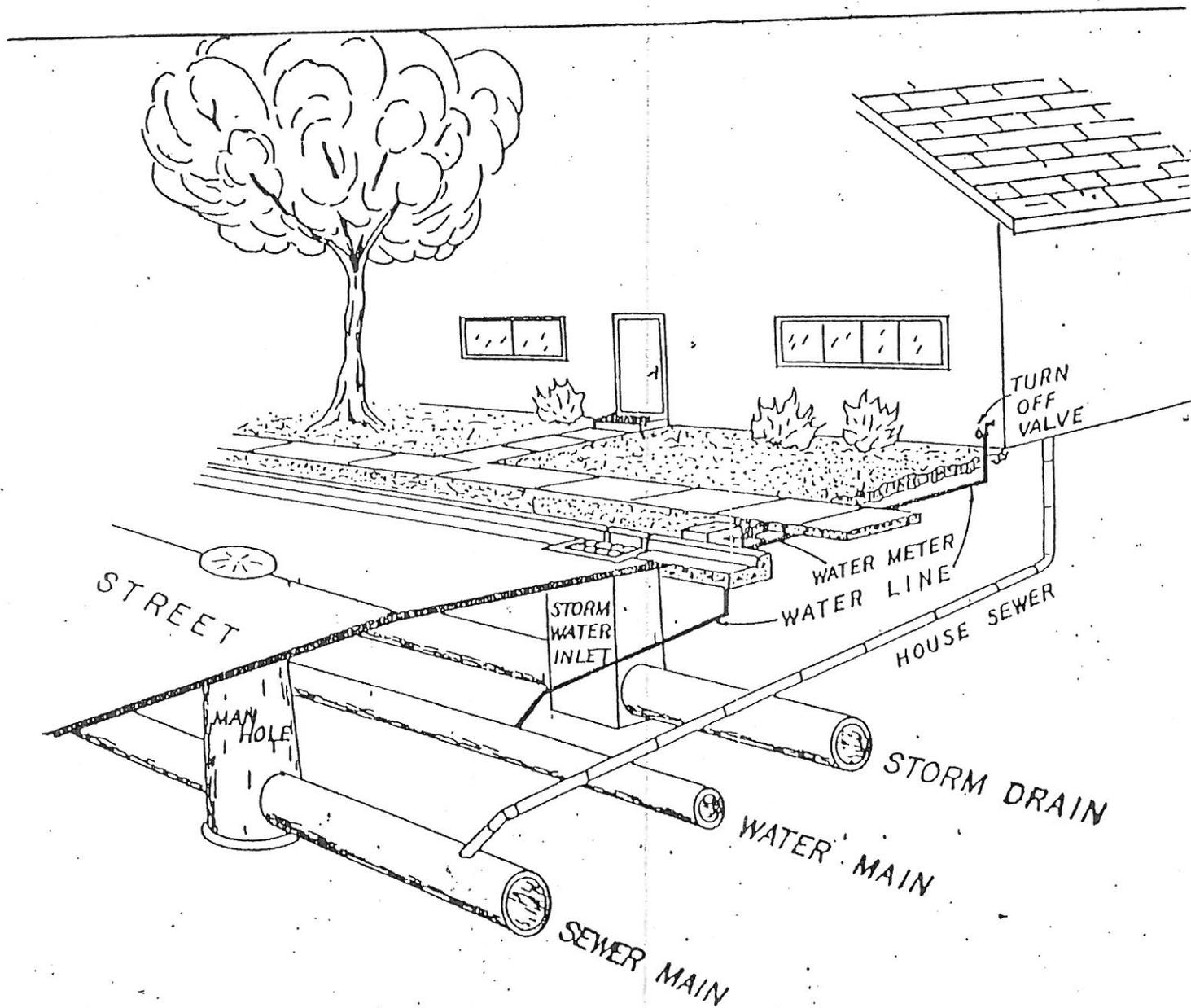




CITY OF  
**HAYWARD**  
HEART OF THE BAY

CITY OF HAYWARD  
PUBLIC WORKS/UTILITIES  
BUILDING SEWER MAINTENANCE GUIDELINES





CITY OF HAYWARD - TYPICAL STREET UTILITIES

## CITY OF HAYWARD BUILDING SEWER MAINTENANCE

The City of Hayward does not service lateral sewers. The City will check the sewer main if a plumber or Roto-Rooter service verifies that the sewer main (Public Sewer, see Municipal Code Section 11-3.000 bb) is plugged or causing the stoppage.

To view the City of Hayward Municipal Code online, go to the following link:

<http://www.hayward-ca.gov/municipal/hmcPDM.shtm>

### **Relevant City of Hayward Municipal Code Relevant Sections**

**Section 11-3.060:** BUILDING SEWER MAINTENANCE. Maintenance of the building sewer shall be the responsibility of the owner of the property served.

### **Definitions, Section 11-3.000:**

**Section 11-3.000 h:** Building Sewer shall mean House Sewer.

**Section 11-3.000 s:** House Sewer or Building Sewer shall mean the extension from the house drain to the public sewer or other place of disposal, which is not less than two (2) feet from any building or structure foundation or footing that faces the public sewer.

**Section 11-3.000 bb:** Public Sewer shall mean any sewer which is part of the municipal sewer system, including any sewer main within any public street or sewer easement and any outside sewer.

Improperly maintained sewer laterals are the cause of the vast majority of sewer lateral damages. These damages are caused by tree roots entering the pipe, causing it to become blocked. This condition typically occurs after laterals, through old age and shifts in the earth, experience a slight crack in the pipe joint. These cracks leak moisture and attract tree roots which enter the pipe and cause it to become blocked. Thus, damage results not by the force of protruding tree roots, but the old, worn laterals which have been improperly maintained. Many residents have found that after having the line cleared of roots, regular maintenance doses of root inhibitive compounds available at local hardware and home improvement stores are effective in preventing future root growth through the worn laterals.

**California Government Code, Section 835** relating to the “absence of liability for injury except under statute: Liability as subject to statutory immunity and defense” states that except as otherwise provided by statute a public entity is **not** liable for injury, whether such injury arises out of an act of omission of the public entity, or a public employee or any other person. This section states that for a public entity to be liable for injury caused by a dangerous condition of property, the public entity must have “...had actual or constructive notice of the dangerous condition under Section 835.2, sufficient time prior to the injury to have taken measures to protect against the dangerous condition.” It is not reasonable to assume that the City should be responsible for monitoring the root growth to its trees.

**California Government Code, Section 835:** *Except as provided by statute, a public entity is liable for injury caused by a dangerous condition of its property if the plaintiff establishes that the property was in a dangerous condition at the time of the injury, that the injury was proximately caused by the dangerous condition, that the dangerous condition created a reasonably foreseeable risk of the kind of injury which was incurred, and that either:*

- (a) *A negligent or wrongful act or omission of an employee of the public entity within the scope of his employment created the dangerous condition; or*
- (b) *The public entity had actual or constructive notice of the dangerous condition under Section 835.2 a sufficient time prior to the injury to have taken measures to protect against the dangerous condition.*

## ARTICLE 3

### SANITARY SEWER SYSTEM

SEC. 11-3.000 DEFINITIONS. For the purposes of this Article, certain words and phrases are defined, and certain provisions shall be construed as herein set out, unless it shall be apparent from the context that a different meaning is intended.

- a. Approved by the City Engineer shall mean approval and acceptance by the City Engineer as to material, workmanship and type of construction as the results of investigations, inspections, or tests conducted by the City Engineer, or by reason of accepted principles or tests by the United States Bureau of Standards, American Society for Testing Materials, or other nationally recognized authorities.
- b. Backwater Valve shall mean any approved check valve or other approved device to prevent the flow of sewage from the public sewer into the building.
- c. Building shall mean any structure erected for the support, shelter, and enclosure of persons, animals, chattel or movable property of any kind.
- d. Building Court shall mean two or more buildings containing four or more dwelling units or two or more commercial and/or industrial buildings on premises or parcel under one ownership and to remain under one ownership.
- e. Building Court House Sewer shall mean the extension from the building drain to the building court main sewer, and shall be located within the building lot boundaries.
- f. Building Court Main Sewer shall mean the extension from the building court house sewer to a public sewer or other place of disposal.
- g. Building Drain shall mean House Drain.
- h. **Building Sewer shall mean House Sewer.**
- i. Carbonaceous Biochemical Oxygen Demand (CBOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter, expressed in parts per million by weight. CBOD concentrations shall be determined under standard analytical procedures specified in the publication "Standard Methods for the Examination of Water and Wastewater" jointly prepared and published by the American Public Health Association, the American Water Works Association, and the Water Environment Federation and/or other alternate procedures specified and required by the United States Environmental Protection Agency and/or the State of California Environmental Protection Agency.
- j. Cesspool shall mean an excavation in the ground which receives the discharge of a drainage system, or part thereof, so designed and constructed as to retain the organic matter and solids discharging therein but permitting the liquids to seep through the bottom and sides.

- k. Commercial User shall mean any retail store, restaurant, office building, laundry, and any other private business and service establishment and place of public assembly, including churches and lodges.
- l. Customer shall mean any person(s), business, organization, or other agency that obtains sewer service from the City of Hayward.
- m. Domestic Sewage shall mean wastewater that is produced from non-commercial and non-industrial activities and that results from normal human living processes.
- n. Drainage System, or Drainage Piping shall mean and include all the piping within public or private premises which conveys sewage, or other liquid wastes, to a point of disposal, but shall not include the mains, laterals, manholes, and pipe encasements of a public sewer system.
- o. Dwelling Unit shall mean a building or portion of a building arranged, intended or designed to be occupied by not more than one family, a congregate residence for 10 or fewer people, and having facilities for sleeping, eating, cooking and sanitary purposes, independent of another dwelling or dwellings.
- p. Garbage shall mean a putrescible animal, fish, fowl, fruit, or vegetable refuse or any part thereof resulting from the preparation, storage, handling, processing or consumption of food.
- q. Grease Interceptor/Trap shall mean a receptacle designed to collect and retain grease and fatty substances normally found in kitchen, food processing, or similar wastes.
- r. House Drain, or Building Drain or Main Drain shall mean that part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning two (2) feet outside the building wall that faces the public sewer.
- s. House Sewer, or Building Sewer shall mean the extension from the house drain to the public sewer or other place of disposal, which is not less than two (2) feet from any building or structure foundation or footing that faces the public sewer.
- t. Industrial User shall mean any non-residential user of the public sewer system that is identified in the Standard Industrial Classification Manual, 1987, Office of Management and Budget, and amended and supplemented, under the following divisions: (a) Division A – Agriculture, Forestry and Fishing; (b) Division B – Mining; (c) Division D – Manufacturing; (d) Division E – Transportation, Communications, Electric, Gas, and Sanitary; and (e) Division I - Services.
- u. Industrial Wastes shall mean all types of waste which result from industrial and manufacturing operations. Such wastes are usually more concentrated, more varied in content and rate, and require more extensive or different treatment than domestic waste.

- bb. Public Sewer shall mean any sewer which is part of the municipal sewer system, including any sewer main within any public street or sewer easement and any outside sewer.
- cc. Regulations shall mean the Wastewater Discharge Regulations of the City of Hayward or any amendments to or replacements thereof.
- dd. Sanitary Sewer shall mean a sewer that carries liquid and waterborne wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
- ee. Septic Tank shall mean a water-tight receptacle which receives the discharge of a drainage system or part thereof, designed and constructed so as to retain solids, digest organic matter through a period of detention, and allow the liquids to discharge into the soil outside of the tank through a system of open joint piping, or a seepage pit meeting the requirements of this Code.
- ff. Sewage or Sanitary Sewage shall mean the spent or used water, containing dissolved and suspended matter, of a domestic, commercial or industrial facility; also known as wastewater.
- gg. Sewer shall mean a pipe or conduit for carrying sewage, but shall not include house drain, or plumbing within the house.
- hh. Sewer Service shall mean the services and facilities, furnished or available to premises by the municipal sewer system, for collection, treatment and disposal of sewage.
- ii. Sewage Works shall mean all facilities for collecting, pumping, treating, and disposing of sewage. Sewage Works shall mean Sewerage Works.
- jj. Sewer Capacity Rights shall mean the flow (in gallons per day), CBOD (in pounds per year), and suspended solids (in pounds per year) of sewage that a customer is entitled to discharge from each connection on an average daily basis. Such rights shall be purchased by payment of sewer capacity fees at the time of connection to the public sewer system or when additional capacity is needed to serve the user.
- kk. Sewer Connection Fees shall be monies paid by applicant to purchase capacity in the City's sewer system. Fees shall be paid to: (a) buy in to existing public sewer system facilities; and (b) fund the future construction of facilities needed for development. The sewer capacity fee paid represents the proportion of the existing system that will be used by the new customer and the proportion of costs of future projects that will be needed to serve the new customer.
- ll. Sewer Contractor shall mean a contractor holding a valid business license to do sewer work in the City of Hayward.
- mm. Sewer Service Charge shall mean the use-based charge to customers for the costs of operating and maintaining the sewer collection and treatment system, including replacement. Sewer service charges shall take into account the demands placed

SEC. 11-3.359 BUILDING SEWER CONNECTION TO PUBLIC SEWER. The connection of the building sewer into the public sewer shall be made in the following manner:

If the diameter of the building sewer is equal to the diameter of the public sewer, connection shall be made at a wye branch in the public sewer at a location specified by the City Engineer.

When the diameter of the building sewer is less than the diameter of the public sewer and no properly located wye branch is available, a neat hole may be cut into the public sewer to receive the building sewer and shall be fitted with a special saddle connection. The saddle connection shall be equipped with complete annular shoulder to prevent it from slipping into the public sewer; it shall protrude into the wall, but shall not exceed past the inner surface of the public sewer. The saddle adapter shall be securely fastened in place by a minimum of four (4) complete turns of 10 gauge galvanized iron or copper wire wrapped entirely around the saddle and the public sewer. A smooth neat joint shall be made and the annular space between the spigot of the saddle and the edges of the hole in the public sewer shall be filled with cement mortar, and the entire connection made secure and watertight by encasement in concrete.

Other special fittings may be used for connection only when approved by the City Engineer.

The top of pipe of the building sewer at the point of connection shall be at the same or at a higher elevation than the top of pipe of the public sewer.

EXCEPTION. Interceptor sewers of reinforced concrete pipe eighteen (18) inches or larger in diameter may not have direct connections. The building sewer shall then be connected to an eight (8) inch main laid parallel to the interceptor and connected at the nearest manhole.

The portion of the building sewer in the street shall be at right angles to the right of way lines and at least three (3) feet below the curb grade. Provided that when it is necessary to install a building sewer in the street less than three (3) feet below the curb grade, the same must be covered with at least six (6) inches of concrete to protect the same from breakage, or shall be of cast iron pipe.

The applicant for the building sewer permit shall notify the City Engineer when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the City Engineer.

SEC. 11-3.360 BUILDING SEWER MAINTENANCE. Maintenance of the building sewer shall be the responsibility of the owner of the property served.

SEC. 11-3.361 CLEANOUTS. Cleanouts shall be placed in every building sewer at the connection with the building drain and shall be installed at uniform intervals not to exceed one hundred (100) feet.

SEC. 11-3.362 BACK WATER PROTECTION. If the lowest fixture or outlet in any building is below the rim elevation of the nearest manhole, cleanout, or riser upstream from the connection to the public sewer, a backwater valve or overflow device of an approved type shall be installed in the building sewer.