

FACT SHEET

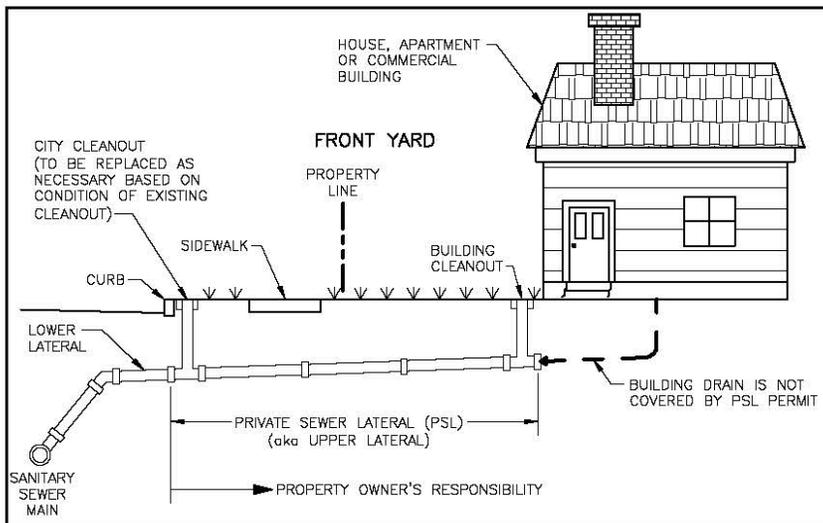
Public Works Department
Engineering Division

CITY OF BERKELEY PRIVATE SEWER LATERAL ORDINANCE

BMC Chapter 17.24 – Effective November 3, 2014

A consent decree between federal authorities and government agencies in the East Bay requires all property owners to upgrade or verify the condition of private sewer laterals (PSLs) when selling a property or obtaining a building permit for work with a value of more than \$60,000. A PSL is the pipe and associated fittings that

connect the plumbing in a home or business to the sanitary sewer main, usually located in the street. The PSL carries sewage from a building to a public sanitary sewer. It is the responsibility of the property owner to maintain the PSL in satisfactory condition.



Old, cracked PSLs allow rainwater and groundwater to infiltrate the sewer system. Excess water in the system can overwhelm wastewater treatment facilities, causing untreated or partially treated sewage to be released into San Francisco Bay. Fixing damaged PSLs helps protect the Bay.

Requirements

All property owners -- including condominiums and other developments with shared laterals -- are required to obtain a Sewer Lateral Certificate (SLC) under the following conditions:

1. By close of escrow for the transfer or sale of property (with some exceptions), unless a 6-month extension is granted prior to closing; OR
2. When obtaining a Building Permit for construction or remodel valued over \$60,000; OR
3. When the City finds that the PSL may be a public nuisance; OR
4. When a property owner elects to repair or replace their PSL.

The 3 Ways to Obtain a Sewer Lateral Certificate

1. Provide a copy of a valid SLC

If a valid SLC for a property is provided, the property is deemed to be in compliance, and no further action is required – unless a property is deemed to be a public nuisance (such as through smoke testing), in which case the owner must obtain a PSL Permit and pass a Verification Test.

2. Prove that the PSL has been completely replaced in the last 20 years

Property owners may obtain a Certificate by providing a copy of an existing permit showing that the **entire PSL was replaced within the last 20 years**. Include a front and back copy of the Permit or write the permit number on the Sewer Lateral Certificate Application. Submit the SLC Application with copies of your permit or the permit number. Public Works will determine if the permit is valid for compliance, and if so, the City will issue a [Sewer Lateral Certificate](#) valid for 20-years from the day the permit was finalized.

1947 Center Street, 4th floor, Berkeley, California 94704

3. Pass a Verification Test

Apply for a Private Sewer Lateral Permit at the Permit Service Center, 2120 Milvia Street. Note: the City of Berkeley **no longer accepts Closed Circuit Television (CCTV) submissions** as proof of PSL compliance.

All Verification Tests should be performed by a State Licensed contractor using the City's [Guidelines for Private Sewer Lateral Verification Testing](#), and CCTV equipment must be available onsite for use by the City Inspector, if required. **If the property passes**, the Inspector will sign off the PSL as passed, and the property owner will be issued an SLC. Properties passing the test that have not completely replaced the private sewer lateral will receive a Sewer Lateral Certificate valid for 7 years.

If the PSL does not pass the Verification Test, the inspector may issue a Notice of Deficiency (NOD), and the property owner must hire a contractor to determine the PSL's repairs or replacement. *Only licensed sewer contractors may obtain a PSL Permit.* After the repairs or replacement are complete, a Verification Test will be performed. If the PSL passes that test and the permit is signed off by the inspector, the property owner will be issued an SLC.

Public Works anticipates 5 City business days to review and issue either a PSL Certificate or a Notice of Deficiency indicating further instruction or repair is required to comply. A completely replaced sewer lateral can receive a 20-year certificate. A partially repaired PSL can receive a 7-year certificate.

If an Extension of Time is Needed to Meet Compliance

Property Sale or Transfer: In most cases, *all* repair or replacement work must be completed, and a Sewer Lateral Certificate (SLC) obtained **before** the transfer of title for property. Alternately, you may request the City to determine if the work is urgent, and if it's not urgent, you may request a 6-month extension. You may request a 6-month extension by doing one of the following:

- Complete the [Sewer Lateral Extension Deposit Form](#), and submit it with a \$4,500 deposit and the [Agreement for Time Extension to Obtain a Sewer Lateral Certificate](#) to Finance Customer Service Center, 1947 Center Street. **OR**
- Execute a contract with a licensed plumbing contractor to have verification testing and/or repair or replacement as needed to obtain an SLC within 6 months of the close of escrow, and
- Submit a copy of the signed contract to Finance Customer Service along with the [Agreement for Time Extension to Obtain a Sewer Lateral Certificate](#); the contract must be reviewed and approved by the Public Works Department prior to granting of the time extension

Building Permit Applications for Construction or Remodel: If you're obtaining a Building Permit for construction or remodel valued over \$60,000, you are required to **submit an SLC before receiving a building permit** for your construction project.

- **Extensions.** The City Building Official has authority to grant an extension to meet compliance under specified conditions. See the Compliance Guide and forms online at <http://www.cityofberkeley.info/psl/>.
- **Exceptions.** In certain situations where repair, replacement, or verification testing of the PSL would not be possible prior to building construction, you may apply for an exception to the requirement that the SLC be obtained prior to issuance of the building permit. Submit an [Exception – Extension of Time for Sewer Lateral Construction Application](#) and, if the extension is approved, record a Notice of Limitation. The building permit will be issued; however, the final permit will not be approved until the SLC is obtained.

Sewer Lateral Certificates are transferable to new owners. Transferred SLCs remain valid until the expiration date printed on the certificate. There is no need to change the owner's name.

For more information: Contact staff Monday through Thursday, 8:30am to 4:30pm. Private Sewer Lateral Compliance (510) 981-6423; Schedule an Inspection (510) 981-7444; Finance Customer Service: 311 or (510) 981-7200. Forms and information are available on the City's website at: www.cityofberkeley.info/psl/. **Old PSL forms are no longer valid and will not be accepted.**