

Staff Report



To: Mayor Mark Shepherd and City Councilors
From: Rich Knapp, Administrative Services Director
Date: August 10, 2015
Re: Residential Sewer Cleanup Assistance Program

Rich Knapp

Recommended Action

Staff recommends the Mayor and City Council consider the proposed Residential Sewer Cleanup Assistance Program.

Description / Background

Each year in Clearfield, less than ten households have a sewer backup. Most of these backups are a result of object(s) clogging the city sewer main that should not have been in the sewer system. Any house or houses that are upstream from the clog may have the backup come into the house. These incidents are most likely not the fault of the city nor are they the fault of the resident.

The current practice of the city is to submit a claim to our insurance. Most of the time our insurance determines it is not our fault and the resident is on their own to deal with the cleanup and repairs. Most homeowner's insurance does not cover the costs of a sewer backup.

The proposed program will help residents in this situation with the costs of cleanup and sanitation. This will also incentivize the resident to utilize professional restoration services, rather than rely on their own cleaning efforts. In addition to assisting with health and safety, the program can also be viewed as a form of group insurance for every residential home in the city. Other cities in the US have even raised the sewer fee to cover the costs of a similar program, however, the number of incidents is low in Clearfield, and since we are only helping with cleanup and not property damage, the costs are low per incident.

Financial Impact

If the city has at the most 10 backups per year, and at the most \$1,000 per incident, then the cost would be \$10,000. Expenses would be paid from the Sewer Fund.

List of Attachments

- Letter for Residents
- Request Form
- Internal Procedures



Dear Clearfield Resident,

Clearfield City recognizes the inconvenience and difficulty which may arise for residential property owners from sewer backups. The City has high standards for inspecting and maintaining its infrastructure, including its sewer system, but even the best maintenance practices cannot guarantee that a backup will not occur. In order to assist in such qualifying situations, a sewer cleanup assistance program has been created.

The intent of this program is to reduce health hazards by encouraging residential property owners to clean up sewer backups as quickly as possible and to provide a method for assisting qualifying homeowners with some of the financial burden which may be associated with a sewer backup, even when the City may not be responsible for the problem. The sewer cleanup assistance program is a service offered to residential property owners in qualifying circumstances.

The assistance program may only be utilized if the backup was caused by a problem located within the City's lines or system. Assistance is not available if the problem is in the property owner's own line (e.g.: on the residential side of the water meter or the residential side of the City's main sewer lines—sewer laterals are not covered). It also does not apply in certain "catastrophic" situations in which large numbers of properties are likely to be affected. If the homeowner has an insurance policy that provides protection for sewer backups and/or floods, the insurance coverage must be used to its limit before assistance through this program is provided. All cleanup assistance provided by Clearfield City will be handled by a disaster management company contracted by the City. This is not a reimbursement program.

How to Participate

In order to be considered for the sewer cleanup assistance program you must do the following:

1. Submit the attached Request for Cleanup Assistance form to Clearfield City's Administrative Services department. This form can be found on the Clearfield City website.
2. Requests must be submitted within seventy two (72) hours after the incident occurred.
3. Attach all required materials specified in the Request for Cleanup Assistance form, including photographs.
4. Provide official documentation from your private insurance company, such as a letter or email indicating either that there is coverage or a denial of coverage.

Please understand that there are many factors taken into consideration before assistance is granted. Some considerations affecting whether a request for assistance is granted include but are not limited to:

1. Whether the request was submitted within 72 hours.
2. The damages are fully or partially covered by private insurance.
3. An act of the resident contributed to causing the incident, or the resident failed to act responsibly to minimize the loss.
4. The loss is unsubstantiated, or verification of the loss is incomplete.
5. Budget constraints and/or if the number or amount of requests exceed what the City has anticipated.

Once all necessary materials are received, your case will be reviewed and carefully considered by the Program Committee. Assistance is offered at the sole discretion of the City in both the determination of eligibility as well as the amount and will be considered on a case-by-case basis.

Best regards,

Summer Palmer
801-525-2741
Summer.palmer@clearfieldcity.org



Administrative Services

55 South State Street

Clearfield, Utah 84015

Phone: 801.525.2700

Fax: 801.525.2864

REQUEST FOR CLEANUP ASSISTANCE

To: Clearfield Administrative Services

Date Submitted:

Name of Applicant: _____

Address: _____

Preferred Phone (Home/Work/Cell): _____

Email Address _____

Date of Incident: _____

Summary of Incident

(Include an overview of incident. An additional sheet may be attached if needed.):

Describe and Verify Loss

(Please be very specific. State the damages incurred and all necessary facts.):

Additional Documents Required

- Attach photos to substantiate your loss.
- Official documentation from your private insurance company, either a letter or e-mail indicating coverage or denial of coverage must be attached.

Request forms will be accepted by email or in person

Phone: 801-525-2741

Summer.palmer@clearfieldcity.org



Residential Sewer Cleanup Assistance Program - Internal Procedures

The purpose of this document is to establish guidelines for and procedures under which Clearfield City may elect to provide basic assistance to persons whose homes are flooded as a result of a backup in a City owned and maintained sanitary or storm sewer line, or break of a water main, regardless of fault.

Any assistance provided by the City shall not be construed as an admission of liability nor does it imply a duty, any negligence or responsibility on the part of the City for such damage. Any payment or assistance provided herein is at the sole discretion of the City.

The intent of this program is to reduce health hazards by encouraging residential property owners to clean up sewer backups as quickly as possible and to provide a possible method for assisting qualifying residential property owners with the financial burden of a sewer backup, even when the City may not be liable for the damage. Assistance is the sole discretion of the City in both the determination of eligibility and the amount provided and each application will be considered on a case-by-case basis.

Procedures for First Responders

When arriving on the scene, first responders shall:

- 1.) Explain that the City has a cleanup assistance program available for qualifying incidents which pose an undue hardship on residents.
- 2.) Provide residents with a letter with the Request for Cleanup Assistance form included, which will first be provided to the first responders.
- 3.) Not imply or give any indication whatsoever regarding fault or liability. If the City is later determined to be at fault by those in authority to make such decisions, necessary actions will be taken at that time.
- 4.) Take pictures, with the resident's permission, explaining that they will be used for documentation.

Once the Request for Cleanup Assistance form and all necessary documents are submitted, the City will process, review, and determine the appropriate course of action.

As first responders, your initial assessment will likely be considered by the City in determining fault and/or responsibility for the incident. Please take pictures and pay attention to anything which would assist with this determination or would indicate fault/property damage. The City will ask for pictures and information shortly after the incident has occurred. This information is intended for City use and should not be shared with the property owners until the City has reviewed the situation and has made a final determination.



Procedures for Risk Management Staff

- 1.) Risk management should be notified by the Public Works Department as soon as possible following a flooding event into a private residence.
- 2.) Risk management will confirm with Public Works whether the flooding originated from a City owned and maintained line.
- 3.) A committee comprised of the City's Public Works Director, City Attorney, and the Administrative Services Director (the "Committee"), or their designees, will consider cleanup assistance requests under the program on a case-by-case basis.

In cases where the occurrence will not be covered by the resident's insurance and where the City agrees to provide assistance, a disaster management company contracted by the City will be the recommended course of action to avoid reimbursement requests by residents and/or contractors they have hired.

Periodically, the Administrative Services Director should ask local disaster management companies to submit price quotes for their services to ensure the City is getting fair pricing.

In the event the occupants and/or homeowner initiate a call to a cleaning service themselves the City may still provide assistance if approved by the Committee under appropriate circumstances. The City shall not pay for cleaning costs above those considered reasonable.

Extent of Assistance Provided

The City may arrange to provide a basic level of assistance, usually through the services of a private contractor, to help mitigate the damages which make the living area unsanitary and/or unlivable.

Assistance provided by the City shall be limited to:

- extracting the sewerage or water; and
- removing the damaged carpet and pad (if necessary); and
- flushing and disinfecting the affected floors; and
- cleaning/deodorizing the affected carpet, replacing the affected pad and relaying the carpet; or,
- in the case of a sanitary sewer backup, fully replacing the pad and replacing the carpet on a depreciated basis.
- possible baseboard and drywall removal when there is sufficient evidence of compelling health and safety issues.

Assistance may include the moving of contents when occupants are unable to do it themselves. Payment would normally be made from the City directly to the contractor for services specified herein. For other flooding events other than a sanitary sewer backup, if the carpet cannot be cleaned, or the homeowner chooses not to keep the carpet, the City may offer the homeowner an amount equivalent to what it would have cost the City to clean and relay the affected carpet, including the cost of affected pad. The intent of this policy is to help the occupants get their home back to livable condition as soon as possible. The City may reimburse reasonable costs incurred by residential property owners in calling a drain cleaning service before knowing about a problem in a City main line. Claims for damages beyond the scope of this policy shall be handled through the City's normal claims handling process.

Other types of assistance may be authorized by the Committee as determined on a case-by-case basis.