

CITY OF ELYRIA, OHIO

DEPARTMENT OF PUBLIC SERVICE OFFICE OF THE ENGINEER

SANITARY SEWER AND STORM SEWER LATERAL GUIDELINE & APPLICATION PROCESS

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Ordinance No. 2000-69, amended by Ordinance No. 2018-183, adopted loan program regulations summarized herein.

The ultimate goal of the Sanitary Sewer and Storm Sewer Lateral Rehabilitation Loan Program is to reduce the quantity of storm water that reaches the sanitary sewer system by providing for the rehabilitation, reconstruction or replacement of deteriorated private sanitary sewer and/or storm sewer laterals. The funds available through the program may also be used for the disconnection of roof downspouts, disconnection of exterior foundation drains, yard drains, stairwell drains, and any other sources of storm water inflow or ground water infiltration. This program is necessary in order to abate the public nuisances and the consequent threat to the public health, safety and welfare that they present. This program is also necessary to comply with the EPA requirements relating to the inflow and infiltration of storm water into the sanitary sewer system, and to promote the effective and efficient operation of the City Wastewater Pollution Control Plant.

In support of these goals, the City of Elyria offers a zero percent (0%) loan for the cost of needed repair or replacement. In effect, a lien is filed against the property with the County Auditor in the amount of the loan, with no interest. The property owner shall enter into an agreement with the City acknowledging that the property owner agrees to pay the costs for said installation and the actual costs paid by the City for such services and shall be placed as a lien/assessment against said property to be paid with real property estate taxes, over ten (10) years or up to twenty (20) years, based on income eligibility. The amount certified to the County Auditor shall be the actual costs paid by the City, plus any Charges by the County Auditor to process said lien/assessment.

I. PROCEDURE:

- 1) The City of Elyria Engineering Division and the Wastewater Pollution Control Division have conducted tests of the sewer system and on the building laterals using smoke or dye water and sewer TV inspection. When the test or inspection shows that a building lateral is defective so as to allow the inflow of storm water, or that the original construction allows storm water to be discharged to the sanitary sewer system, and when there is reason to believe that the portion that is defective is the portion that the owner is responsible for the repair, a notice of violation and an order to make the correction is sent to the property owner by mail.
- 2) Property owners desiring to participate in the loan program may contact the Project Coordinator in the City Engineering Division at (440) 326-1444. No funds will be provided for partial correction. Samples of the required promissory note will be provided to the property owner, upon request. This document must be completed and approved by the City prior to commencement of the work.

- 3) The property owners participating in the program who wish to use a contractor(s) to do the work must secure written proposals for the work from not less than two (2) contractors. The contractors making the proposals must be licensed by the City of Elyria for the type of work to be done. Property owners who wish to do the work on their own property rather than hiring a contractor may do so; however, the maximum amount that will be loaned is reduced to one third the program limit, and the funds may be used only for the rental of equipment and purchase of new materials.
- 4) The property owner submits copies of the required cost estimates and a statement as to which contractor will be authorized to do the work.
- 5) The Engineering Division reviews the cost estimates and either approves or rejects the loan request. No funds will be provided for partial correction. An owner may appeal this decision to the Safety Service Director. When the loan request is approved, a limited abstract is ordered by the City to verify ownership and obtain a legal description of the property. (The cost of the limited abstract and the financing of the lien will be included in the loan amount given to the property owner.) After the loan is approved and ownership of the property verified, a promissory note must be signed by the property owner(s) and the City's Contractual Officer. (NOTE: The loan document must be signed within thirty days from the date that the limited abstract is received, or the loan will be disqualified.)
- 6) After the loan document has been signed, the Engineering Division will provide a written notice to the owner which states the specific amount of funds that may be paid to each contractor upon completion of their work. The letter will also instruct the participant to contact the City to have the work inspected in progress.
- 7) Before backfilling the Engineering Division will need to inspect the work. After completion of the work, and before payment is made, the Engineering Division will make a final inspection and may re-test the lateral.
- 8) After completion of all work, the contractor(s) submits an invoice for payment to the owner, after approval of the invoice by the owner, it is then forwarded to the Engineering Division for payment processing. The Engineering Division will review the invoice, and if approved, forward it to the City Finance Director's Office for payment.
- 9) The City may file the lien at any time after it has been signed by all parties. In the event that the actual amount paid out to contractor(s) and/or supplier(s) under the program, is more than the amount of the loan, the owner will receive a letter stating the revised amount due to the City.

II. ACCEPTABLE METHODS OF REPAIR:

- 1) There are three (3) basic methods to correct a lateral problem.
- 2) If the lateral pipe has been crushed, it must be replaced.
- 3) If the lateral pipe has leaking joints, it may be repaired by:
 - a) Pipe replacement.
 - b) Slip lining.
 - c) Joint sealing with approved chemical grout.

III. SANITARY SEWER LATERAL CONSTRUCTION STANDARDS:

- 1) Pipe Size – 6” minimum.
- 2) Pipe Material – PVC ASTM 3034, cast iron, ductile iron, premium joint clay tile with gasket.
- 3) Grade – ¼” per foot recommended.
- 4) Depth – 4.5 feet recommended; not be less than 30”.
- 5) Water Tight Joints – gasketed joint meeting the requirements of ASTM F-477, D-1869, C-361 or C-443.
- 6) Connection between Different Materials – use Fernco connector with stainless steel bands.
- 7) Inspection/Cleanout Riser – Tee fitting at the bottom; 6” diameter riser with water tight removable cap or plug.
- 8) Check valves within the sanitary sewer lateral will be permitted.
- 9) Sanitary lateral construction shall conform to City of Elyria Standard Drawing No. 1-606.

IV. GENERAL:

- 1) All contractors doing work under the program must be licensed as required by law.
- 2) The City of Elyria administers all programs without regard to race, creed, color, sex, ancestry, national origin, or handicap.

V. SPECIAL CONSIDERATIONS:

- 1) Decisions regarding the eligible activities will be determined on a case-by-case basis.
- 2) The requirement that two (2) written proposals may not be required by the Engineering Division in emergency situation, or for minor repairs costing less than \$2,000.
- 3) What construes an emergency repair will be determined by the Safety-Service Director.

VI. METHOD OF SHARING COST WHEN LATERAL IS UNDER PAVEMENT:

1) FOR PIPE REPLACEMENT:

- a) If the owner proceeds with pipe replacement, the property owner may stop work at the edge of the pavement.
- b) An inspection/cleanout riser shall be installed at the front property line.
- c) The City will come back at a later date to make a TV inspection through the inspection/cleanout riser.
- d) If the portion under the pavement is found to be in need of replacement, the City will make the repair.

2) FOR SLIP LINING OR JOINT SEALING:

- a) If the owner proceeds with slip lining or joint sealing, they should have the contractor quote the work for the full length from the home to the public sewer.
- b) An inspection/cleanout riser should be installed at the front property line.
- c) The City will measure the length from the home to the public sewer, and the length from the edge of pavement to the public sewer.
- d) The City will issue a purchase order to the property owner's contractor for a portion of the cost based on the length.

For example, if the total length of the lateral being repaired is 90 feet and the length from the edge of pavement to the public sewer is 30 feet, then the City would be responsible for 1/3 the cost of the repair.

VII. LOANS ARE AVAILABLE FOR THE FOLLOWING:

- 1) **Sanitary Sewer Lateral (Owner's Portion)** – Correction as determined necessary and with work approved by the City of Elyria Engineering Division. The method of repair or replacement is determined by the owner, provided the materials and standards followed comply with code requirements.
- 2) **Storm Sewer Lateral** – New construction or repairs, where the owner desires to improve the property drainage, and the City of Elyria Engineering Division determines that the owner's request will reduce inflow and/or infiltration of clean water into the sanitary sewer system.
- 3) **Downspouts** – All building roof drains are to be disconnected from the sanitary sewer system as ordered and approved by the City of Elyria Engineering Division. (Work within five (5) feet of the building foundation wall is to be performed under permits issued by and inspected and approved by the City of Elyria Building Department.)
- 4) **Exterior Foundation Drains (Footer Tile)** – Modification, replacement, or repair as determined necessary by the City of Elyria Engineering Division. (Work within five (5) feet of the building foundation wall is to be performed under permits issued by and inspected and approved by the City of Elyria Building Department.)

- 5) **Yard Drains, Stairwell Drains, Driveway Drains and Other Collectors of Storm Water** – Modification, repair, or replacement when determined necessary by the City of Elyria Engineering Division.

VIII. 0% INTEREST LOANS AVAILABLE:

- 1) **Maximum Loan Available - \$10,000** per dwelling unit, including emergency repairs and any other previous repairs paid for the by the loan program on this specific property and any on an adjoining vacant lot owned by the same property owner.
- 2) **A First Come, First Served Basis** – Because the City funds available for the program are limited, the applications will be accepted, reviewed and approved only on the “first come, first served” basis.

IX. ELIGIBILITY REQUIREMENTS:

- 1) **Type of Building and Ownership** – This program is for 1, 2, or 3 family residential properties. The loan applicant must be the owner, and must reside at the affected dwelling as their primary permanent residence, which must be located within the City of Elyria corporate boundaries. Persons with a Lease-Option Agreement or Life Estate are deemed ineligible for participation. Land Contract ownerships are deemed eligible to participate only if the “buyer” and “seller” involved in the sales agreement both sign the required program agreement.
- 2) **Location Requirement** – The property must be located within a sewer service area within the City of Elyria which has been approved for the program by the Elyria Water Pollution Control Board, as an area in need of storm water inflow and/or infiltration elimination.
- 3) **Income Eligible Loan with a Twenty (20) Year Lien/Assessment**
In order to be considered for the income eligible loan with a twenty (20) year lien/assessment, the applicant must be the owner of the residential home, must live in the residential home as a primary permanent residence, and be able to provide current proof of residential home ownership, active homeowner insurance and paid property taxes. Persons with a Lease-Option agreement or a Life Estate are deemed ineligible for participation. The homeowner(s) must be at or below 80% of area median income as determined by HUD. The application is included with this document (Exhibit A).

X. Contact Information:

- 1) Contact the Engineering Division at (440) 326-1444 for the following:
 - a) Questions or requests you may have regarding the Notice of Violation.
 - b) Information on the Sanitary Sewer and Storm Sewer Lateral Rehabilitation Loan Program.
 - c) Inspection of work in progress by your contractor.
 - d) Replacement inspection of full length before backfill.
 - e) Slip lining inspection while placing.
 - f) Joint sealing inspection of work in progress with TV.
 - g) Final inspection of all work completed before backfill.

- 2) Please contact the Building Department at (440) 326-1491 for the following:
 - a) Permits necessary for footer tile work.
 - b) Inspection of footer tile work.

SANITARY SEWER AND STORM SEWER LATERAL PROGRAM

Income Eligible Loan with a Twenty (20) Year Lien/Assessment Application

In order to be considered for this loan, based on income eligibility with a twenty (20) year lien/assessment, the following parameters apply:

The applicant must be the owner of the residential home, must live in the residential home as a primary permanent residence, and be able to provide current proof of home ownership, active homeowner insurance and paid property taxes. Persons with a Lease-Option agreement or a Life Estate are deemed ineligible for participation.

The homeowner(s) must be at or below 80% of area median income. Income will be verified, by the homeowner's most recent federal tax return total income, before a loan under this section will be issued. The total number of persons in the household is based on the number dependants recorded on the most recent federal tax return.

Number of Dependants	Maximum Income*
1	\$39,600
2	\$45,250
3	\$50,900
4	\$56,550
5	\$61,100
6	\$65,600
7	\$70,150
8	\$74,650

*FY2018 HUD Income Limits

Authorization

If the lateral loan program application is not signed or the form is not submitted in its entirety, the application is incomplete and the loan under this section will not be approved.

If you are within the income guidelines, are in need of the eligible repairs, replacement or new installation, and would like to be considered under this section of the lateral loan program, you **MUST** reply to all the questions in the Application for the Lateral Program and return the application to the City of Elyria Engineering Department, and provide a copy of all applicable documents. Because funds are limited, complete applications will be accepted on a "first come, first serve" basis.

Applications are received on an on-going basis as long as funds are available. Applicants will be notified of their status within 30 days of receiving a completed application.

Print or type and submit copies of requested information with this application. The documents that you enclose with this application will not be returned.

APPLICATION CHECKLIST: *If not applicable indicate with N/A.*

Incomplete applications will not be considered.

_____ Application completed. ***Sign & answer all questions***

_____ Proof of Homeowners Insurance (Submit the Declaration page)

_____ The number of dependants must be included with the application

_____ Copy of the most recent Federal Income Tax Return

_____ Not employed? Please provide signed statement of circumstances indicating there is no income. If receiving unemployment, submit four most recent statements.

_____ Current on mortgage payment. Copy of most recent mortgage statement showing that payments are current.

_____ Current on property taxes. Copy of most recent property tax statement showing that payments are current.

_____ Is home in foreclosure? Indicate yes or no.

_____ Bankruptcy? Indicate yes or no, if yes please provide a copy of release.

Personal Information

Head of

Household Name _____
(Last) (First) (MI)

Home Address _____, Elyria, Ohio 44035

Home Phone (____) _____ Work Phone or Cell Phone (____) _____

Email Address _____

Employer _____

Employer Address _____ Position Title _____

Have you declared bankruptcy in the past seven (7) years? YES NO (please circle)

If yes, has it been released? YES NO (please circle)

If yes, provide proof of release. Proof of release is required in order to be eligible for funding.

Have you received a Lateral Loan in the past?
NO (please circle)

YES

Housing Information (Please circle the appropriate answer below)

- | | | |
|---|-----|---|
| 1. Do you own your own home? | YES | NO |
| 2. Are your property taxes current? | YES | NO |
| 3. Do you have homeowner's insurance? | YES | NO |
| 4. If you have a mortgage, are you current? | YES | NO (Attach copy of most recent statement) |
| 5. Do you have any liens against your property? | YES | NO |

Provide explanation

List name, address and policy number of insurance company and provide copy of Declaration page.

Insurance Company_____ Policy #_____

Address _____

Identify the lateral repair that you are requesting.

I CERTIFY ALL THE INFORMATION ON THIS APPLICATION AND ALL INFORMATION PROVIDED IN SUPPORT OF THIS APPLICATION ARE TRUE AND COMPLETE TO THE BEST OF MY BELIEF AND KNOWLEDGE. VERIFICATION MAY BE OBTAINED FROM ANY SOURCE NECESSARY.

Signature of Applicant_____

Date_____

Please return your completed application to:

**City of Elyria
Engineering Department
Lateral Program
131 Court Street, Suite 303
Elyria, Ohio 44035**