

Section 14.14.190 of the South San Francisco Municipal Code is hereby amended to add subsection (d), to read as follows (additions shown in the underlined text):

Except as provided in Section 14.14.160(b), all building sanitary sewer laterals for those new or existing buildings including, but not limited to, those serving residential, multiple residential, commercial, and industrial properties that connect to the public sewer, shall perform the necessary inspection to obtain a certificate of compliance as required in this chapter, at the property owner's expense when any of the following events occur:

- (a) There is an application for a certificate of occupancy for a new building;
- (b) A change of use of the house, building, property or other structure served from residential to business, commercial, or other non-residential use; or from non-residential, nonrestaurant, noncommercial, nonindustrial to a restaurant, commercial or industrial uses;
- (c) Upon repair or replacement of any portion of a building sewer lateral. (Ord. 1453 § 1, 2012)

(d) Inspection and Correction of Sewer Laterals upon Transfer of Title Due to a Sale

- (1) For purposes of this subsection (d), sewer lateral shall have the same meaning as in Section 14.14.020. Any modification to the sewer lateral shall be performed and inspected under the requirements of this code and established City procedures.
- (2) Whenever any property is to be transferred to or vested in any other person or entity due to a sale, and that property includes any buildings or structures constructed more than twenty-five (25) years prior to the date of transfer or vesting, the sewer lateral(s) to that property shall be tested for infiltration, and all necessary repairs or replacements performed to prevent all infiltration. All repair or replacement work shall be approved by the City prior to the transfer of title.
- (3) The inspection and correction of a sewer lateral pursuant to this subsection (d) shall be completed before a residential property is to be transferred to, or vested in any other person or entity, due to a sale, the property owner must, at their own expense, conduct an inspection of the sanitary sewer lateral as required by this chapter. Any subsequent repair or replacement work deemed necessary because of said inspection shall be approved by the City prior to issuance of a certificate of compliance and transfer of title.

For the residential properties identified in subsection (d), the property owner or their designee shall, at their own expense, perform the following:

- (a) Conduct a video inspection of the pipe in accordance with standards established by the City and make such video available to the City for review.

(b) If the City's review of the video determines that the sewer lateral is defective, the property owner shall repair or replace the pipe to the satisfaction of the City in accordance with all City standards prior to the transfer of such property due to a sale.

(c) Upon completion of the work in accordance with subsection (d) of this section, the City shall issue a certificate of compliance.

(4) This subsection (d) shall not apply:

(a) To condominium or cooperative apartment buildings or the units within those buildings, except as a condition to conversion to a condominium or cooperative apartment building; or To properties that share a sanitary sewer lateral with another property; or property transfers that do not involve the payment of a county transfer tax; or

(b) For ten (10) years after acceptance of a test pursuant to this section if partial or no repairs of the sewer lateral were required and any repairs were completed pursuant to permit and inspection by the City; or

(c) For ten (10) years after inspection and approval by the City of completed alterations to the sewer lateral, if alterations pursuant to a City permit were made to the location of or connections to the sewer lateral following a test pursuant to this section; or

(d) For twenty-five (25) years after acceptance of work if replacement of the complete sewer lateral was performed; or

(5) The requirement to obtain a certificate of compliance prior to the transfer of title in no way affects the legality of the transfer of title of the underlying property transaction. If a certificate of compliance cannot be obtained prior to title transfer, the property owner, buyer, or agent may request to the public works director or their designee, in writing, for a time extension (time extension certificate) of up to one hundred eighty days in which to perform the inspection, and/or repairs or replacement required by this chapter.

(a) The time extension certificate request shall be submitted to the City with the required fee established by the master fee schedule.

(b) As a condition of issuance of a time extension certificate, funds in the amount of ten thousand five hundred dollars are to be posted into an escrow account. Notwithstanding the escrow deposit, property owners are responsible for the full cost of sanitary sewer lateral compliance with City ordinance requirements, which may exceed the ten thousand five hundred dollar escrow deposit. Once the sanitary sewer lateral passes the required inspection and a certificate of compliance is issued by the City, funds will be released in accordance with escrow instructions.

(c) In the event that the work required by this chapter is not completed within one hundred eighty days of issuance of the time extension certificate, or the work does not meet the conditions required by this chapter, the escrow funds may be forfeited following a hearing, as appropriate, and the current property owner will be responsible for compliance with the requirements of this chapter. The City will take possession of the forfeited escrow funds, and the current property owner must affirmatively demonstrate that sewer lateral complies with this chapter prior to requesting that the City consider release of the forfeited funds, less the City's costs, which may include costs of abatement. After the close of escrow, the current property owner shall be responsible for all costs associated with compliance with this chapter.

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