

BILL NO.: 4910

ORDINANCE NO.: _____

Introduced by: City Manager Nathan Mai-Lombardo

**AN ORDINANCE AMENDING THE CITY OF BERKELEY MISSOURI CODE
SECTION 530.010.A.4 TO INCREASE THE CITY'S REIMBURSEMENT FOR
VIDEO INSPECTIONS TO A MAXIMUM OF FIVE HUNDRED DOLLARS (\$500)**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY,
MISSOURI, AS FOLLOWS:**

Section 1. Section 530.010.A.4 of the Berkeley Municipal Code shall be amended to state: "The owner may hire a contractor to televise the line so that the cause of the problem can be determined. If the video inspection discloses that the line is defective, the cost of such inspection shall be paid by the City of Berkeley, to a maximum of five hundred fifty dollars (\$500.00)."

Section 2. This Ordinance shall be in full force and effect from and after the date of its passage.

1st Reading this 21st day of November 2022

2nd Reading this 21st day of November 2022

3rd Reading, PASSED and APPROVED, this _____ day of _____ 2022

Babatunde Deinbo, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved as to Form:
Donnell Smith, City Attorney

Final Roll Call:

Councilwoman Verges	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Williams	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Anthony	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman Hindeleh	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman-at-Large Crawford-Graham	Aye ___	Nay ___	Absent ___	Abstain ___
Mayor Deinbo	Aye ___	Nay ___	Absent ___	Abstain ___

Chapter 530. Sewer Lateral Repair Policy

Section 530.010. Policy.

[Ord. No. 3499 §1, 6-16-2000; Ord. No. 3553 §§1 — 2, 3-18-2002; Ord. No. 4055 §§1 — 2, 6-18-2012; Ord. No. 4227 §§2 — 4, 6-15-2015; Ord. No. 4252 §2, 12-7-2015]

- A. On November 2, 1999, the Berkeley voters approved the proposition to assess up to twenty-eight dollars (\$28.00) per year on all residential property containing six (6) or fewer dwelling units to provide funds to pay the cost of certain repairs of defective lateral sewer service lines serving such dwelling units. The City has made an investigation and has concluded that, for the year 2000, these funds will allow the City to pay up to eighty percent (80%) of the cost of such repairs. As the repair fund grows, the City will review its actual experience and, for future years, may adjust the percentage of payment.
1. Effective as of June 18, 2012, the owner of a single-family home, duplex or apartment building containing not more than six (6) dwelling units may recover one hundred percent (100%) of such owner's costs in repairing defective lateral sewer service lines serving the property owner, on compliance with the City's policy.
 2. A lateral sewer service line is a sewer line which extends from the building foundation wall or exterior wall to the sewer main in the street or sewer easement. It does not include a sewer line located under any part of the building. A lateral sewer service line may be located in a front, side or rear yard.
 3. If an owner is experiencing a problem with the lateral sewer line, the owner should contact a plumbing company or a drain and sewer cleaning company to have the line cabled. Sometimes the problem is not the sewer line, but it may have become clogged up from the entry of improper materials into the line. The cost of cleaning out the sewer line will not be a reimbursable cost item. If the problem is not resolved by cabling of the line, the property owner should contact the Berkeley Department of Public Works at City Hall during normal business hours, Monday through Friday. The owner must fill out an application and bring a copy of the paid real estate tax bill for the property.
 4. The owner may hire a contractor to televise the line so that the cause of the problem can be determined. If the video inspection discloses that the line is defective, the cost of such inspection shall be paid by the City of Berkeley, to a maximum of one hundred fifty dollars (\$150.00).
 5. If it is determined either through the dye test or the television inspection that the sewer line is defective, the owner may select a contractor to perform the corrective work, from an approved list supplied by the City. Any such contractor must obtain any necessary permits from the City before the work is begun.
 6. The owner must obtain at least three (3) bids for the work in order to make sure that a contractor has given a fair competitive bid.
 7. The corrective work is limited to excavation, repair or replacement of the line, backfilling and seeding and strawing the disturbed portion of the yard.
 8. Upon completion of the corrective work, the City inspector will perform the final inspection, which shows that the work has been completed. Upon receiving the final inspection report, the Berkeley Department of Public Works will pay the contractor one hundred percent (100%) for repairing the defective line.
 9. Payment to the contractor shall only be made after inspection of the work performed and approval by the City's Public Works Department.
 10. The City has no obligation or responsibility for the performance by the contractor and no responsibility for any damages caused to the owner's property by reason of the sewer line defects.