

Sewer Lateral Inspection Requirements for Properties at the Time of Sale

## Frequently Asked Questions

September 13, 2019

(Revised Text is Highlighted)

The County of Santa Cruz Department of Public Works, Sanitation Division, administers several separate sewer districts and County Service Areas within the County (boundaries shown on the County GIS website or at the links provided below). The largest of these are:

**Santa Cruz County Sanitation District**, an area from the Santa Cruz City limits to Aptos, including the City of Capitola ([click here for map](#)).

**Davenport County Sanitation District**, a small defined area including residential and commercial parcels in Davenport ([click here for map](#)).

**Freedom County Sanitation District**, a small defined area, primarily residential, north of the City of Watsonville. This district has very irregular boundaries ([click here for map](#)).

**County Service Area 10**, a defined area, primarily residential, along Graham Hill Road, including portions of the Rolling Woods and Woods Cove areas ([click here for map](#)).

**Other County Service Areas:** There are several (see below). It is best to assume that, if the building is connected to a sewer and not within the Watsonville, Santa Cruz, or Scotts Valley city limits, and not in Pajaro Dunes, then it is probably administered by the County. If in doubt, check with us.

**CSA 2: Place De Mer** ([click here for map](#))

**CSA 5: Sand Dollar Beach and Canon Del Sol** ([click here for map](#))

**CSA 7: Boulder Creek** ([click here for map](#))

**CSA 20: Trestle Beach** ([click here for map](#))

QUESTIONS	ANSWERS
<b>Which areas/properties fall under this jurisdiction?</b>	<p>All properties connected to a public sanitary sewer main in the “unincorporated County,” excluding parcels located within the cities of Santa Cruz, Scotts Valley, or Watsonville. See maps of Districts and CSAs on the County GIS or at the links on the previous page.</p> <p>This applies to properties whether the sewer lateral is individual or shared, permitted or not, new or old, whether the lateral is connected directly to the public sewer main or connected indirectly through a private sewer collection system that then leads to a public sewer main. If your property is within one of the Sanitation Districts listed on the first page, your property falls under this jurisdiction.</p>
<b>Are properties typically required to have their sewer laterals inspected prior to being sold?</b>	Yes.
<b>What is the purpose behind this?</b>	<p>Private property owners are responsible to maintain their laterals. The goal is to assure that long-neglected inspection and maintenance of private sewer facilities are brought up to date. The purpose of maintenance and repair of sewer facilities, in general, is to minimize:</p> <ol style="list-style-type: none"> <li>1. the infiltration and inflow of water and debris into the sewer system,</li> <li>2. the leakage of raw sewage into the groundwater and soil,</li> <li>3. the creation of sinkholes in the landscape and the undermining of other utilities, roadways, and sidewalks,</li> <li>4. sewer spills which could enter creeks and streams,</li> <li>5. costs to private property owners to resolve damage due to lateral failures.</li> </ol>
<b>Who is responsible for having a sewer lateral inspection done?</b>	The seller of the property is always responsible for the initial sewer lateral inspection and any required repairs. All repairs must be completed before the close of escrow. The costs may be paid out of escrow.
<b>How are videos and Inspection Report forms submitted to the County?</b>	The County uses BOX Drive for file sharing with plumbers. Plumbers shall contact the County and request access to the County’s BOX Drive account. The County creates a main folder for that plumber to upload information (i.e. video inspections and Private Sanitary Sewer Lateral Inspection Reports). The plumber shall create a <u>separate</u> subfolder for <u>each</u> property using its Assessor’s Parcel Number (APN).
<b>How is information shared with the property owner?</b>	The plumber can invite the property owner or the property owner’s agent to have access to the APN file folder. This folder will contain the video inspection, the Inspection Report, the County’s review comments (including requirements for work to be performed), and the County’s acceptance of completed work.
<b>To comply with the Lateral Program, what is required to be submitted to the County prior to escrow?</b>	<p>Before the close of escrow:</p> <ol style="list-style-type: none"> <li>1. The seller shall hire a licensed plumber to perform a video inspection of the subject building’s sewer lateral.</li> <li>2. The licensed plumber shall complete a <a href="#">Private Sanitary Sewer Lateral Inspection Report</a> and upload the video and completed report to the County’s BOX Drive.</li> </ol>

	<ol style="list-style-type: none"> <li>3. The seller shall hire a licensed plumber to make the repairs deemed necessary by the District (if no repairs are necessary the County will provide a stamped document designating completed compliance with the Lateral Program).</li> <li>4. If lateral repairs/replacement is necessary, the licensed plumber shall request a no-cost <i>Sanitary Sewer Connection Permit</i> from the County to perform the required repairs/replacement.</li> <li>5. Once the work is complete the licensed plumber shall call the County's Inspection Hotline (831-454-2895) to schedule an inspection of the repaired/replaced lateral.</li> <li>6. Upon approved inspection, the County will stamp the <i>Sanitary Sewer Connection Permit</i> designating completed compliance with the Lateral Program, and upload the stamped document to the BOX Drive.</li> </ol> <p><b>Exception:</b> Seller may provide proof to the County that the lateral is less than 20 years old (either newly constructed or fully replaced) and its installation was inspected and approved by the County. If the County accepts the documentation, the seller would exempt from this requirement.</p>
<p><b>Who decides what work is required on the sewer lateral?</b></p>	<p>Your plumbing contractor will enter their observations and recommendations on the completed <a href="#">Private Sanitary Sewer Lateral Inspection Report</a>. County Sanitation engineering staff will review the video and report form. If Sanitation staff concludes there is no difference in observations or recommendations, Sanitation staff will note this on the County's comment form and you may proceed with your plumber's recommendations. If Sanitation staff determines there is a difference in either observations or recommendations, then Sanitation staff will note this on the County's comment form. If there has been a difference of opinion, and your plumber believes strongly that Sanitation staff may not have had all pertinent information available to them or may have made an error, please ask your plumber to contact us directly, ASAP. We welcome the opportunity to come to a shared conclusion. The Sanitation Department will make the final decision. The County's completed comment form is available to the plumber (and the parties the allowed access by the plumber) on the BOX Drive.</p>
<p><b>What determines if a sewer lateral requires repair or replacement?</b></p>	<p>The sewer lateral is evaluated based on the number and severity of defects. Repairs or replacement may be required due to a single defect or because there are a series of defects along the length of the line. Examples of defects include (but are not limited to) the following:</p> <ol style="list-style-type: none"> <li>1. fractured, broken, or severely deteriorated lines</li> <li>2. infiltration of roots</li> <li>3. infiltration of water</li> <li>4. out of round pipe</li> <li>5. non-standard components installed</li> <li>6. standard components improperly installed</li> <li>7. material known to be routinely prone to failure (for example, Orangeburg, asbestos cement pipe, cast iron, etc.)</li> <li>8. a significant sag in the line</li> </ol>
<p><b>What determines if a repaired sewer lateral</b></p>	<p>After a repair permit has been issued, your contractor may commence the repairs. The Sanitation Inspector will come to the property and inspect the</p>

<p>passes or fails the inspection?</p>	<p>installed repairs. (Don't cover them up before the inspection!) The inspector will determine if the work meets the Department of Public Works standards and specifications for sewer lateral work.</p>
<p>Do property owners get a "Certificate of Compliance"?</p>	<p>No. If lateral repair work is required prior to escrow, and the work is completed and found to be acceptable by the County Inspector, the County will stamp and sign the County's <i>Sanitary Sewer Connection Permit</i> stating work was completed and requirements for escrow have been met. If lateral repair work is not required, the County will stamp and sign the County's Comment Form stating that escrow may continue with the sewer lateral as-is. The stamped documentation is available on the BOX Drive, in the folder for the particular APN.</p>
<p>Which properties are exempt from this inspection requirement?</p>	<ul style="list-style-type: none"> <li>• <b>Parcels not served by (directly or indirectly) the public sewer system.</b></li> <li>• <b>Sewer laterals which were newly connected to the public system less than 20 years ago</b>, and were inspected by the County at the time of installation, don't need to be inspected at this time, unless there is a known problem.</li> <li>• <b>Sewer laterals which have been fully replaced</b> under permit or satisfied all requirements of the Lateral Program and were inspected and approved by the County Inspector <b>within the last 20 years</b>, don't need to be inspected at this time, unless there is a known problem.</li> <li>• <b>Mobile homes</b> located in mobile home parks where the park is under the jurisdiction of the California Department of Housing and Community Development (HCD) are regulated by HCD and don't need to be inspected at this time. HCD monitors and controls the operation of these sites. However, mobile or manufactured homes located on individual parcels are treated just like site-built single-family homes and the systems must be inspected, repaired (if needed), and thereafter approved by County Sanitation staff.</li> <li>• <b>Townhouses or detached homes</b> located on individually owned parcels, <i>within an overall common development area</i> (PUD or condominium complex) typically have individual laterals connected to a shared private collector line, often all located on a <i>common area</i> parcel. Code requires that the entire line, from where it leaves the building to where it joins the PUBLIC sewer main, must be inspected and, if needed, repaired. If the homeowners' association, according to the CC&amp;Rs, as reported in writing by the property manager, is responsible for the private sewer collection system and will not authorize the individual resident/owner to make needed repairs, then the requirement for inspection and repairs will be waived at the close of escrow for that individual owner. In such cases, the maintenance and repairs of the private sewer system within the common area will rest with the HOA/management. The HOA should continue to maintain and repair the system as needed, but video inspection of the system will not be required by the County prior to the close of escrow. The District will follow up separately with the HOA regarding any required</li> </ul>

	<p>inspections and repairs. However, townhouses located on individual parcels <i>fronting onto a public street, with zero-lot-line side yards</i>, are generally treated just like detached single-family homes (unless it is demonstrated in writing that the homes are served by shared laterals maintained by an HOA) and the systems must be inspected and, if needed, repaired.</p> <ul style="list-style-type: none"> <li>• <b>Condominiums (flats, podium supported townhouses, etc.)</b> located within shared buildings, whether those buildings are on separate parcels or larger parcels shared with other buildings, typically have a shared building waste line connected to a shared private collector line. Code requires that the entire line, from where it leaves the building to where it joins the PUBLIC sewer main, must be inspected and, if needed, repaired. If the homeowners' association, according to the CC&amp;Rs, as reported in writing by the property manager, is responsible for the private sewer connection system and will not authorize the individual resident/owner to make needed repairs, then the requirement for inspection and repairs will be waived at the close of escrow for that individual owner. The maintenance and repairs of the private sewer system within the common area will rest with the HOA/management. The HOA should continue to maintain and repair the system as needed, but video inspection of the system will not be required by the County prior to the close of escrow. The Sanitation Department will follow up separately with the HOA regarding any required inspections and repairs.</li> </ul>
<b>Are apartments affected?</b>	<b>Yes. Apartment complexes</b> , when sold, are required to comply and the entire system must be inspected and, if needed, repaired.
<b>What about RV parks?</b>	<b>Yes. Recreational vehicle parks</b> , when sold, are required to comply and the entire system must be inspected and, if needed, repaired.
<b>Who can perform the sewer lateral video inspections?</b>	Only plumbers with current active California plumbing contractor's licenses may perform inspections.
<b>If the lateral fails the initial inspection, can the seller transfer the responsibility of the repairs to the buyer?</b>	No. The seller is responsible for the inspection and repairs.
<b>Can the seller transfer the inspection responsibility to the buyer?</b>	The seller is responsible for the inspection and reporting and making sure the County has reviewed and determined what repairs, if any, are to be required. If the seller and buyer both agree, and with the County's approval, the responsibility for making the repairs may be transferred from the seller to the buyer. There are forms to fill out, deadlines to meet, and penalties for non-performance.
<b>Can the buyer pay for the work?</b>	When and how the payment for inspection and repairs is made is up to the parties involved in the escrow and the contracted plumber, but the seller remains the responsible party for the inspection and all repairs.

<b>What if neither seller or buyer wants to pay?</b>	Nothing prevents a third party from paying, but the seller remains the responsible party for the inspection and, <b>unless transfer of responsibility has been approved</b> , all repairs.
<b>Can the plumber be paid out of escrow?</b>	When and how the payment for inspection and repairs is made is up to the parties involved in the escrow and the contracted plumber, but the seller remains the responsible party for the inspection and, <b>unless transfer of responsibility has been approved</b> , all repairs.
<b>What if the owner is under conservatorship?</b>	Inspection and repair are required of the seller, and all repairs must be completed before the close of escrow. The costs may be paid out of escrow.
<b>What if the owner is under the conservatorship of the County or State?</b>	Inspection and repair are required of the seller, and all repairs must be completed before the close of escrow. The costs may be paid out of escrow.
<b>What if the owner is in probate?</b>	If there is no Title Transfer, no action would be required under this ordinance at this time. If there is a Title Transfer, the administrator would be the “seller” of the property and, <b>unless transfer of responsibility has been approved</b> , would be responsible for the inspection and any required repairs. The inspection and repairs must be completed before the close of escrow. The costs may be paid out of escrow.
<b>What if the property is being transferred to an heir by a fiduciary administering the estate?</b>	This is not a Title Transfer for purposes of this ordinance; therefore, no action needed at this time.
<b>...between co-owners from or into a revocable trust?</b>	This is not a Title Transfer for purposes of this ordinance; therefore, no action needed at this time.
<b>... by a trustor to fund a living trust?</b>	This is not a Title Transfer for purposes of this ordinance; therefore, no action needed at this time.
<b>...from one spouse to another?</b>	This is not a Title Transfer for purposes of this ordinance; therefore, no action needed at this time.
<b>...to a blood relative?</b>	This is not a Title Transfer for purposes of this ordinance; therefore, no action needed at this time.
<b>... as the result of divorce or legal separation?</b>	This is not a Title Transfer for purposes of this ordinance; therefore, no action needed at this time.
<b>... to a financial institution resulting from a foreclosure or similar process?</b>	This is not a Title Transfer for purposes of this ordinance; therefore, no action needed at the time of transfer to the financial institution. However, <b>unless transfer of responsibility has been approved</b> , the work must be done prior to the close of escrow when the property is transferred FROM the financial institution to a new owner.
<b>What if the lateral from an adjacent parcel is connected into my lateral on my parcel? What if my lateral connects to someone else’s lateral?</b>	The seller is responsible for a video from their building to the public sewer main. If along this path, your lateral joins a neighbor’s lateral before connecting to the sewer main, you still need to video all the way to the public main. Any repairs needed between your building and the public main are your responsibility. If your lateral goes through someone else’s property, it is likely you have an easement on their property to maintain and repair your sewer lateral. Inspection and repair

	are required of the seller, <b>unless transfer of responsibility has been approved</b> , and all repairs must be completed before the close of escrow.
<b>What if this is State, Federal, City, or County land?</b>	Inspection and repair are required of the seller and, <b>unless transfer of responsibility has been approved</b> , all repairs must be completed before the close of escrow. The costs may be paid out of escrow.
<b>Does this apply to businesses and medical facilities?</b>	Yes.
<b>What if the property is on a private street (not County maintained), is connected to a public sewer main located in that private street, but no one seems to know who really owns the street?</b>	The seller is responsible for a video inspection (and repair, if necessary) from their building to the public sewer main. If your lateral goes through a private street, it is likely you have an easement in the street to maintain and repair your sewer lateral. Inspection and repair are required of the seller, <b>unless transfer of responsibility has been approved</b> , and all repairs must be completed before the close of escrow.
<b>What if there is no cleanout at the house?</b>	Installation of a cleanout is required before the close of escrow. Meanwhile, your plumber can often either pull a toilet and run the camera down the drain or run the camera down through the waste vent on the roof.
<b>What if there is no backflow prevention device at the house?</b>	Under specific circumstances relating to finished floor and manhole rim elevations, installation of a backflow prevention device is required before the close of escrow. Backflow prevention devices (backwater valves) have been required since 1972 and have been required by the <i>California Building Code</i> (formerly the <i>Uniform Building Code</i> ) for decades.
<b>In the future, how will escrow companies be notified that these inspections/repairs are required?</b>	Possible processes are under consideration.
<b>How will escrow companies be notified that these inspections/repairs have been successfully fulfilled?</b>	Possible processes are under consideration.
<b>Where can we go for further information?</b>	Go to the County Public Works – Sewer & Water website: <a href="http://www.dpw.co.santa-cruz.ca.us/Home/SewerWater.aspx">http://www.dpw.co.santa-cruz.ca.us/Home/SewerWater.aspx</a>