



POLICY – SW 02

SEWER BACK UP ON PRIVATE PROPERTY

APPROVAL DATE:	2007-05-14	CROSS-REFERENCE:	Utility Bylaw 543-15
RESPONSIBILITY:	Administration		
APPROVER:	Council	APPENDICES:	
REVISION DATE (s):	2013; 2021-08-16	REVIEW DATE:	2026

POLICY STATEMENT

To establish the process by which the Village of Marwayne addresses situations involving sewer back up on private property.

BACKGROUND

As per the Village's utility bylaw and the Municipal Government Act legislation, a municipality is not liable in an action based on nuisance, or on any other tort that does not require a finding of intention or negligence, if the damage arises, directly or indirectly, from roads or from the operation or non-operation of a public utility, ditch, dam, etc.

OBJECTIVE

To define the role of the Village of Marwayne in its response and liability to instances of sewer back up on private property.



DEFINITIONS

CAO is the Chief Administrative Officer for the Village of Marwayne in the Province of Alberta.

Employee is a full-time permanent Employee of the Village of Marwayne in the Province of Alberta.

Employer is the Village of Marwayne in the Province of Alberta.

Sewer Main is the pipe that individual Sewer Service Pipes are connected to.

Sewer Service Lateral is the pipe which extends from a structure on private property through to, and including, the connection device of the service pipe to the Sewer Main.

Village is the Village of Marwayne in the Province of Alberta.

GUIDING PRINCIPLES

This policy applies to all Village of Marwayne Employees and property owners within the Village of Marwayne and is subject to the terms set forth below:

- The Village of Marwayne bears no responsibility for any matter, object or thing disposed of into a Sewer Main through a property owners Sewer Service Pipe or any blockages that occur within a Sewer Service Pipe. This includes the portion of the Sewer Service Pipe that lies between the property line and the Sewer Main.
- The property owner is responsible for all blockages and cleaning of blockages within their Sewer Service Pipe. This includes the portion of the Sewer Service Pipe that lies between the property line and the Sewer Main.
- The property owner must keep in good condition and working order, the Sewer Service Pipe at all times.
- The property owner must not dispose of any objects, materials, things or debris, as the case may be, down the Sewer Service Pipe as per the Village of Marwayne's utility bylaw.
- Should a property owner's sewer be backed up, one of the Village's public works Employees shall, as soon as is reasonably possible, respond to a complaint of a sewer back up.



- A Public works Employee shall conduct an assessment of the situation and test the Sewer Service Pipe to estimate the area of the blockage.
- Should the blockage be located in the main sewer line, the public works Employee shall call the necessary contractors to carry out the repair. However, should the blockage be within the property owners Sewer Service Pipe, the property owner is responsible for contacting a plumber or contractor, as the case may be, to resolve the blockage at their own expense.
- Schedule A, attached hereto, is a graphic representation of this policy.

ROLES & RESPONSIBILITIES

ROLE/TASK	TITLE (s) OF PERSON RESPONSIBLE
HANDLING INQUIRIES & COMMUNICATING POLICY	Chief Administrative Officer
MONITORING REVIEWS AND REVISIONS	Administrative Assistant

EXEMPTIONS

If any discrepancies arise between this policy and the Village of Marwayne's utility bylaw, as amended from time to time, the bylaw shall prevail.



SCHEDULE "A"

