



Amending District Code re: Laterals Liability

**Napa Sanitation District
Board of Directors
September 4, 2019**



Clarification Needed

- Areas of focus
 - Responsibility for laterals
 - Discourage private sewer pumps
 - Clarify Right of Entry



Source of Review

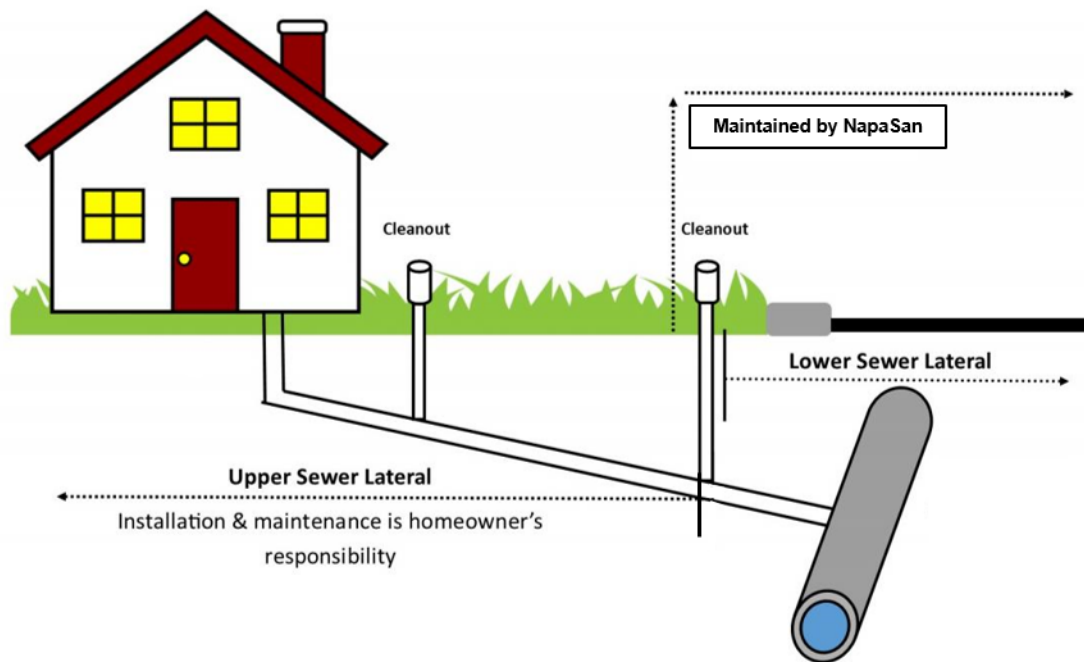
- Model ordinance language
- Meyers Nave review

Providing broad
coverage and risk
control services
to its members



meyers | nave

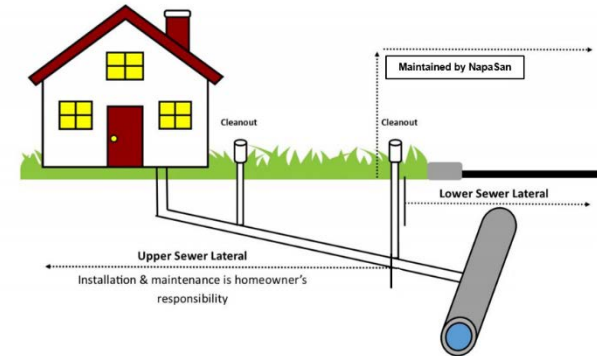
Responsibility for Laterals



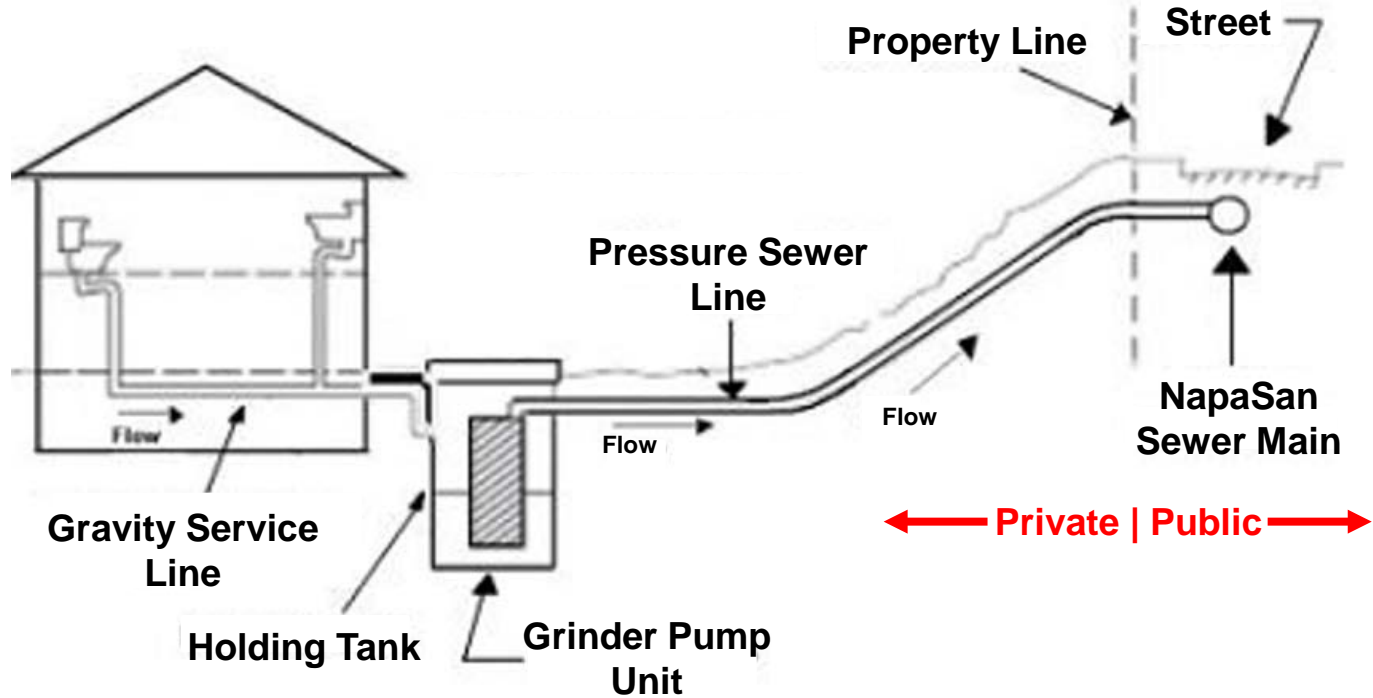


Responsibility for Laterals

- Upper Lateral = Homeowner
- Lower Lateral = NapaSan
- Changes in definitions
- Changes in Title 3



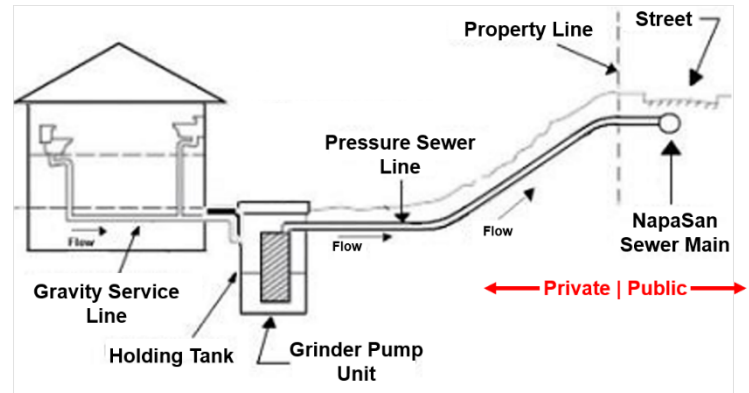
Private Sewer Pumps





Private Sewer Pumps

- Discouraged
- Only in unusual circumstances
- GM approval



Right of Entry

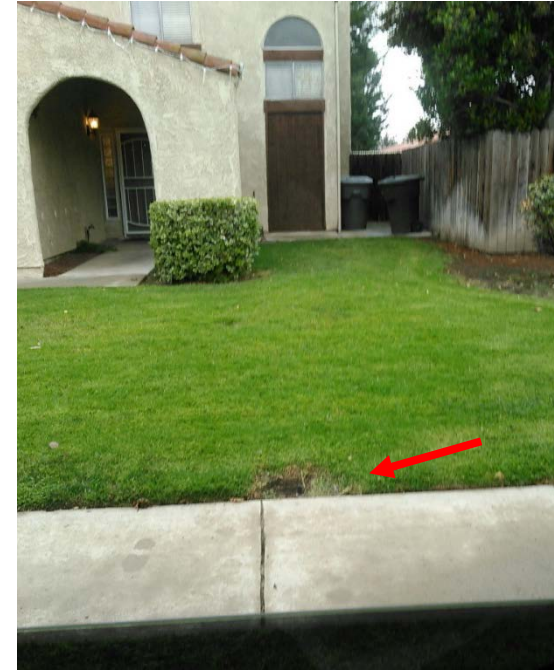
- Current language written for commercial & industrial users
- Residential not clear





Right of Entry

Right to enter
immediately if no
reasonable expectation
of privacy.





Right of Entry

Right to enter if necessary to
access facilities for cleaning,
maintenance, inspection, etc.
– with proper credentials



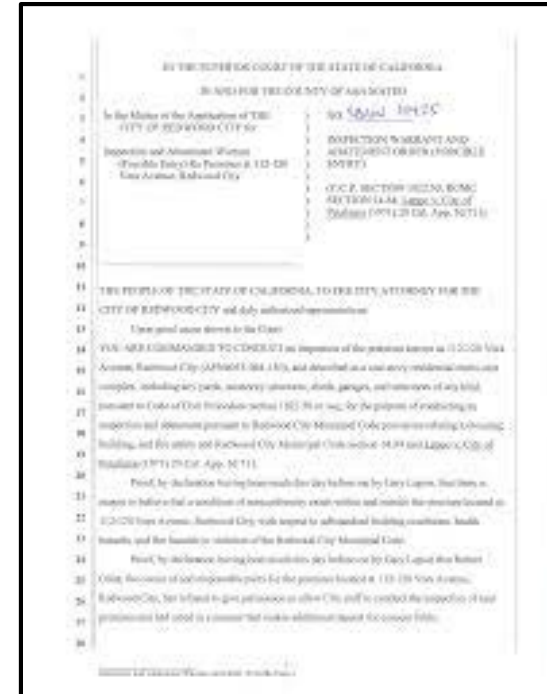
Juanita
Jones





Right of Entry

If prior consent sought
and access is refused,
may request inspection
warrant
(CA Code of Civil Procedure)



Right of Entry

If not accessible,
District is not liable for
damages

Example:
cleanout behind locked gate





RECOMMENDATION

Conduct first reading of ordinance, by title only:

An Ordinance of the Board of Directors of the Napa Sanitation District Amending District Code Section 1.02 Definitions and Section 3.01 Building Laterals, Street Laterals and Connections to Clarify Property Owner Responsibilities and District Rights of Entry Regarding Laterals and Connections