

ROSS VALLEY SEWER LATERAL ORDINANCE DISCLOSURE & ADVISORY

EFFECTIVE JANUARY 1, 2015 – The Ross Valley Sanitary District (RVSD) has enacted “Ordinance 66” establishing a mandatory program to repair or replace failing private sewer laterals. This ordinance will affect nearly every home sold in Fairfax, San Anselmo, Ross, Larkspur, Bon Air, Sleepy Hollow, Kentfield, Kent Woodlands, Oak Manor, Greenbrae, and Murray Park.

The ordinance requires testing (and possible repair and replacement) of virtually all private sewer laterals at either a) the time of sale of the property; or b) remodel projects in excess of \$75,000 or remodel projects which add a bathroom.

Pressure Testing Required Prior to Sale: The ordinance requires “pressure-testing” of the sewer lateral for virtually all residential properties prior to sale in order to confirm the sewer lateral is in good condition and free of “leaks and seepage.” The test must be conducted in the presence of a RVSD official and by a qualified (and licensed) plumbing contractor. Properties that *pass* the pressure test (as determined by the licensed plumbing contractor) have met the requirements of the ordinance. Properties that do not *pass* must be brought into compliance by repair or replacement of the sewer lateral. Note: if the property does not possess a sewer clean out as required by District code, one must be installed.

Cost of Repair/Replacement: The current property owner (Seller) is responsible for completing and paying for the test prior to the sale; however, the cost for any required repair or replacement is negotiable between buyer and seller as part of their contractual agreement. The RSVD is not going to take part in the negotiation between buyer and seller.

Time to Complete Repair/Replacement: According to the terms of the ordinance and procedure established by the RSVD, any requisite repair or replacement of the sewer lateral may occur *after* close of escrow – up to 60 days following the sale. However, the parties are strongly advised to make arrangements prior to the close of escrow for the payment terms (e.g. escrow impound account or prepayment directly to plumbing contractor, et al) prior to avoid complication after the sale.

Exemptions: Certain exemptions apply... a) if the sewer lateral was replaced within the last 20 years and there exists proof of the permitted work (including a final inspection by the District); b) if the property is on a septic system; c) other exemptions per the ordinance.

FREQUENTLY ASKED QUESTIONS:

http://origin.library.constantcontact.com/download/get/file/1011294719166-1313/RVSD+Ord+66_Property+Sale+FAQs.pdf

FOR FURTHER INFORMATION:

- <http://rvsd.org> -- Ross Valley Sanitary District Website
- Tel: 415-259-2949 – Ross Valley Sanitary District Staff Personnel Telephone
- <http://rvsd.org/Portals/0/Documents/pdfs/Updated%20LRGP%20Guide%2010-21-2014.pdf> -- RVSD Economic Assistance Grant Program. Some property owners may be eligible for a grant for half the repair/replacement cost, up to \$4,000.

READ & RECEIVED:

Dated _____

Dated _____

Buyer

Buyer

Seller

Seller