

May 29, 2020

Report To: Travis Rob, P.Eng., Manager of Operations & Facilities

From: Craig Miller, P.Eng., Environmental Superintendent

SUBJECT: Sewer Rooting – Request for Reimbursement

On May 22 and May 25, the Town received requests from Ms. Eleanor Morken (850 Third St. East) and Mr. Jackson Coran (935 Third St. East) for reimbursement of sewer rooting that they had done by Do-Rite Plumbing. Both invoices totalled \$175 + \$22.75 HST for a total bill of \$199.75.

Both invoices from Do-Rite Plumbing (o/o by John Markus) indicated that the blockage was on the town side of the property line and that roots were the cause of the blockage.

In both instances, the property owners had initially requested rooting services from the Town. Due to Covid-19 work restrictions, Town employees are not entering private buildings for work, including sewer rooting. Because of the Covid-19 work restrictions, we have been referring work out to local plumbers.

Town Bylaw 06/16 speaks to sewer blockages caused by tree roots, as follows:

2.6 Blockage – tree roots - liability

Where a sewer service blockage is caused by tree roots and the tree is located on Town property, the Town may assume liability for costs involved in clearing such blockage. Where the tree is located on private property and causes the blockage of a sewer service then the Owner of the property shall be liable for all of the cost involved in clearing the blockage. The Engineer shall be the sole judge of the location of the problem and as to whether or not the Owner is to be charged with any of the cost.

2.19 Maintenance responsibility – service lateral – building sewer – charges

When authorized by the property Owner the Town will perform maintenance work with respect to cleaning of the service lateral and/or building sewer only. The Owner or Authorized representative of the Owner shall give the Town written authorization to perform such work by executing the appropriate Work Requisition form. The charge for maintenance services shall be determined as follows:

- a) A minimum service charge as outlined in the current Town's User Fee By-law will be charged to the Owner for maintenance services.
- b) Where it is determined by the Town that the location of the obstruction is on the Owner's property all charges incurred, less the minimum service charge shall be paid by the Owner.

- c) Where it is determined by the Town that the location of the obstruction is on the Town's property. This only applies to normal service laterals, property line to main (normally approximately ten (10) metres or thirty-three (33) feet) and not those made under special agreement with the Town. The Town may assume all costs for maintenance services to clear the blockage, except for the minimum service charge.
- d) Where it is discovered that the service obstruction is the direct result of a person(s) discharging or depositing items, i.e. female hygiene products, paper towels, etc. other than those deemed normal every day usage, regardless of the location of the obstruction (Owner's or Town's property), the Owner shall be responsible for the costs of the work done to clear the obstruction.

When the Town's employees perform sewer rooting services, the following charges may be incurred (all based on work being done during normal working hours):

Minimum Charges (regardless of where the blockage is): \$26.50

Minimum Charge if blockage is on owner's property or owner is at fault: \$117.40 per hour. (A typical sewer rooting is a one-hour charge).

The town does not charge HST on sewer rooting work.

It is acknowledged that had the town performed the sewer rooting, based on the information on the invoices from Do-Rite Plumbing, the property owners would have been invoiced for the minimum amount of \$26.50. Instead, the property owners were invoiced \$199.75.

Town adapted to the Covid-19 pandemic in March and imposed work restrictions to ensure the safety of Town employees. Not entering private buildings for sewer work was one of the restrictions implemented. Unfortunately, this restriction has meant that the Town has not been able to offer sewer rooting services unless the property has an outdoor cleanout.

Because the work was completed by private contractors, we cannot validate the location of the blockage, if any foreign materials were found or if roots were also encountered on the property owner's side of the property line.

Neither property has a history of sewer rooting in the Town's property files, dating back to the mid-1980's. 935 Third St. East has no trees on the boulevard. 850 Third St. East has one tree in the boulevard and additional trees on private property.

It is my recommendation that the Town does not reimburse either of the property owner's for their expenses incurred as a result of having their sewer service lines privately rooted by Do-Rite Plumbing.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Craig Miller', with a stylized, flowing script.

Craig Miller, P.Eng.
Environmental Superintendent

Attached:

- Email correspondence between Town and Ms. Morken
- Invoice from Do-Rite Plumbing to Ms. Morken
- Imaging of 850 Third St. East
- Property File card for 850 Third St. East
- Email correspondence between Town and Mr. Coran
- Invoice from Do-Rite Plumbing to Mr. Coran
- Imaging of 935 Third St. East
- Property File card for 935 Third St. East
- Copy of Town of Fort Frances Sewer Maintenance Rates.

Craig Miller

From: Eleanor Morken <eleanor.morken@gmail.com>
Sent: Monday, May 25, 2020 5:27 PM
To: Craig Miller
Subject: Re: [External] Plugged Sewer

Melvin Morken acted on the direction of the town. He was advised to call John from Do Rite Plumbing . Melvin was also told the town would not be looking into this due to Covid 19. John from Do Rite Plumbing came and found the sewer blockage was on town property. Melvin did not act regarding this until he was directed by the town.
Melvin and Eleanor Morken

Sent from my iPad

On May 25, 2020, at 3:12 PM, Craig Miller <cmiller@fortfrances.ca> wrote:

Ms. Morken –

Unfortunately, I am not empowered to accommodate your request as I must work within the boundaries of the Town's bylaws.

I am going to forward your request to the Operations and Facilities Executive Committee for consideration. I am hoping it will be on their agenda for June 3.

Thank you.

Craig Miller, P.Eng.
Environmental Superintendent
Tel: 807-274-9893 ext. 1313
Cell: 807-271-1661

From: Lori Pattison <lpattison@fortfrances.ca>
Sent: Monday, May 25, 2020 9:19 AM
To: Craig Miller <cmiller@fortfrances.ca>
Subject: FW: [External] Plugged Sewer

This lady called on Friday and she said she is forwarding her bill to have her sewer unplugged by John Marcus as it was on town property where the problem was and she doesn't feel that she should have to pay for it

Lori

From: Eleanor Morken <eleanor.morken@gmail.com>
Sent: Friday, May 22, 2020 1:31 PM
To: Lori Pattison <lpattison@fortfrances.ca>
Subject: [External] Plugged Sewer

[EXTERNAL] Don't click links or attachments unless you recognize the sender and know the content is safe. You can forward suspicious messages to support@fortfrances.ca.

In follow up to our phone conversation as per your request a picture of the bill paid in full by us due to the plugged sewer on town property. We are requesting reimbursement of the cost. Melvin and Eleanor Morken. We can be contacted at 274-9626.

<IMG_2544.jpg>

Sent from my iPad

Google Maps 850 Third St E



Map data ©2020, Map data ©2020 10 m



850 Third St E

Fort Frances, ON P9A 1S1



Directions



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Nearby

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phone

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Photos

[illegible][illegible][illegible]

Craig Miller

From: Jackson Coran <jacksoncoran77@yahoo.ca>
Sent: Tuesday, May 26, 2020 1:34 PM
To: Craig Miller
Subject: Re: [External] Sewer Line

Thank you.

Sent from my iPhone

On May 25, 2020, at 3:11 PM, Craig Miller <cmiller@fortfrances.ca> wrote:

Mr. Coran –

Unfortunately, I am not empowered to accommodate your request as I must work within the boundaries of the Town's bylaws.

I am going to forward your request to the Operations and Facilities Executive Committee for consideration. I am hoping it will be on their agenda for June 3.

Thank you.

Craig Miller, P.Eng.
Environmental Superintendent
Tel: 807-274-9893 ext. 1313
Cell: 807-271-1661

From: jackson Coran <jacksoncoran77@yahoo.ca>
Sent: Monday, May 25, 2020 1:51 PM
To: Lori Pattison <lpattison@fortfrances.ca>
Cc: Craig Miller <cmiller@fortfrances.ca>
Subject: [External] Sewer Line

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Hello,

I reached to you May 25th asking if you guys could come and see about my water/sewer drain which was backing up and spilling into my basement. After I was told by the receptionist that the town employees could not come into my house she gave me John Markus's number. John came and began snaking out the drain line. He went out about 55-65 feet where he found the blockage to be on the towns end. He found roots and other such things on his router. Since it was on the towns end I have attached the bill seeing as this is a service I pay town taxes for and you weren't able to fulfill the service.

If you need any more information you can reach me at 807-276-2256, or email me at jacksoncoran77@yahoo.ca.

Google Maps 935 Third St E



Map data ©2020, Map data ©2020 10 m



935 Third St E

Fort Frances, ON P9A 1S2



Directions



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MAINTENANCE RECORD

ADDRESS: 935 THIRD STREET EAST

[illegible]

TOWN OF FORT FRANCES

SEWER MAINTENANCE AUTHORIZATION

It is understood that the property owner is responsible for the sewer from his building to the street property line and will pay any charges, which may occur as a result of work required to be done by the Town forces in cleaning this sewer or attempting to do so.

The Town, under normal conditions, accepts the responsibility for the last approximately thirty-three (33) feet of service line. This only applies to normal service connections and not those made under special agreement with the Town. The employees who are on the job will determine the exact location of the blockage.

Where it is discovered that a sanitary sewer service blockage is the direct result of a person(s) discharging or depositing items other than those deemed normal everyday usage, regardless of the location of the blockage (Owner's or Town's property), the Owner will incur all costs of the work done to clear the blockage. (Town By-law 48/92).

Minimum Charge – for providing services to unplug a blockage in a sanitary sewer service line;

- a. During regular business hours - \$26.50
- b. Regular Overtime - \$39.50
- c. On a Statutory Holiday - \$53.00

Charges for the work (if on Owners property) will be:

1. The standard charges for work performed during regular working hours:
 - a) **\$117.40/hr** (includes 2 employees @ \$45.10/hr each, ½ ton truck and roto rooter @ \$27.15/hr).
2. Minimum charges for one (1) hour overtime:
 - a) **\$162.55/hr** (includes 2 employees @ \$67.70/hr each, ½ ton truck and roto rooter @ \$27.15/hr).
3. Minimum charges for any callout after regular working hours or on weekends
 - a) **\$387.95** - Four (4) hours labour for each of two employees (4 x 2 x \$45.10 = \$360.80), ½ ton truck and roto rooter 1 hour at \$27.15/hr.
4. Minimum charges on a statutory holiday:
 - a) **\$748.75** - Eight (8) hours labour for each of two employees (8 x 2 x \$45.10 = \$721.60), ½ ton truck and roto rooter 1 hour at \$27.15/hr.