

June 4, 2021

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 20th, the Town received a request from Ms. Lee-Anne Hines (713 Webster Avenue) for reimbursement of sewer rooting that they had done by Do-Rite Plumbing. The invoice is for \$250 + \$32.50 HST for a total bill of \$282.50.

Do-Rite Plumbing (o/o by John Markus) indicated that the blockage was on the town side of the property line (60-70 feet) and that roots were the cause of the blockage.

The Town has previously processed a request from Ms. Hines for work completed by Do-Rite Plumbing on August 25, 2020. At that time, the blockage was noted to be 60-70 feet and that roots were the cause of the blockage. The invoice for this work was \$226.00, including HST.

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): \$26.65

Minimum Charge if blockage is on owner's property or owner is at fault: \$118.00 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 invoice from Do-Rite Plumbing, the property owner would have been invoiced for the minimum amount of \$26.65. Instead, the property owner was invoiced \$282.50.

The Town adapted to the Covid-19 pandemic in March 2020 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.

713 Webster has a long history of plugged sewers. The property file has a record of 15 plugged sewers dating back to 1984. Six of the 15 plugged sewers were deemed to be on town's side of the property line with 9 on the private side of the property line.

A Google Street View picture of the property is attached.

It is my recommendation that the Town does not reimburse the property owner 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', is positioned above the typed name.

Craig Miller, P.Eng.
Environmental Superintendent

Attached:

- Email correspondence between Town and Ms. Hines
- Invoice from Do-Rite Plumbing
- Imaging of 713 Webster Avenue
- Property File information of 713 Webster Avenue

Craig Miller

From: Lee-Anne Hines <sonshinesthroughme@hotmail.com>
Sent: Thursday, May 20, 2021 11:47 AM
To: Craig Miller
Subject: [External] Sewer line

[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.

Hello,

John Markus just unplugged our sewer line. The blockage was 60-70 feet out - tree roots. It was so far out that he had to go and get a larger auger; the first one he brought couldn't get the job done!

Lee-Anne Hines
713 Webster Avenue
Fort Frances, Ontario

Q WHAT IS THIS FOR
A PLUMBING

OUR NUMBER 806393

DATE MAY 20 2021
CUSTOMER'S ORDER

SOLD TO LEE ANN HINES
 ADDRESS 713 WEBSTER AVE
FORT FRANCES CNT

SHIP TO John Mapkus
ADDRESS PO Box 565
FORT FRANKS ONT
P9A 3M9

TAX REG NO 899731410 SALESPERSON

FOB	TERMS	14 DAYS VIA
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QUANTITY	DESCRIPTION	PRICE	AMOUNT
	CLEAN-OUT MAIN SEWER LINE BLOCKAGE		250.00
	BLOCKAGE WAS OUT APPROX 60-70 FT BOTH ROOFS		
		HSR	32.50
		TOTAL	282.50

Google Maps 713 Webster Ave

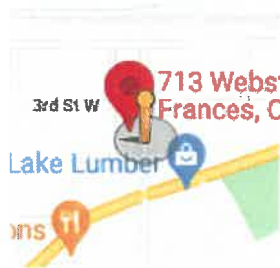


Image capture: Jun 2012 © 2021 Google

Fort Frances, Ontario



Street View



MAINTENANCE RECORD

ADDRESS: 713 WEBSTER AVENUE

DATE	REMARKS
June 25/84	Unplug sewer - blockage at 33' with roots
MAY 26/97	CLEAN PLUGGED SEWER - ROOTS 45'-50' - N/C
MAY 15/00	" " " - " 45' - N/C
AUG 9/00	Called for plugged sewer - sewer OK. - RAIN WATER IN BASEMENT.
JUNE 2/06	cleaned plugged sewer - blockage & main (tree roots) - N/C.
AUG 9/12	CLEANED PLUGGED SEWER - ROOTS 20-40' FROM CLO UNDER DECK
APR 22/13	CLEANED PLUGGED SEWER FROM CLO IN BASEMENT → ROOTS 70-100'
JULY 25/14	CLEANED PLUGGED SEWER - ROOTS/WIPES
JULY 25/14	TRACED SEWER SERVICE
MAY 4/15	CLEANED PLUGGED SEWER - ROOTS c 35' FROM CLO

[illegible]