



Service Department

Backwater Prevention Assistance Program

Dear Utility Customer,

This letter and supporting documentation provides information about the City of Springfield's Backwater Prevention Assistance Program. The program involves the City paying up to \$4,600 for plumbing changes that will eliminate basement flooding caused by surcharging of the wastewater collection system.

Surcharging of the public system occurs almost exclusively when it rains in which the pipes fill and back up. If your basement floods whether it is raining or not, then there may be something wrong with your sewer lateral or some other problem that this program will not address. In this case, you can contact the Service Department at 937-525-5800 for further advice.

To apply for this program, we ask that you fill out the application provided and return it to the Service Center at 2100 Lagonda Avenue, Springfield, Ohio. We encourage you to return the application as quickly as possible so we can conduct our investigations in the order we received calls and so you do not lose your place on the list. Remember, we have limited funds available each year.

We will contact each applicant as soon as possible and provide the status of his/her eligibility. Those eligible for the program will be contacted and provided all the necessary information and instructions needed to take advantage of the program.

Should you have any questions, feel free to call the Service Department at 937-525-5800.

Sincerely,

Mike Adamson
Utilities Superintendent

Rev. 2/5/2016

AN ORDINANCE NO. 01-172

Adopting a second revised policy to assist owners of certain residential properties especially susceptible to sewer backups and needing water backup prevention assistance on their property to assist in preventing periodic sewer backups into their property and repealing Ordinance No. 00-360 and declaring an emergency.

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WHEREAS, there exists in the City a number of neighborhoods consisting primarily of one and two family dwellings in which some of the dwellings are especially susceptible to occasional sewer backups; and,

WHEREAS many of these sewer backups could be most effectively prevented if a backwater valve were install in the dwelling or if other permanent changes were made to the dwelling's plumbing; and,

WHEREAS, backups of sewage into dwellings poses a hazard to the health and safety of the community and a deterioration of the community's housing stock which should be prevented when possible; and,

WHEREAS, this Commission finds that the public health and safety and the quality of the community's housing stock will be protected by assisting the owners of such dwellings to obtain a suitable water backup prevention measurers to assist in preventing sewer backups in those residences especially susceptible to periodic sewer backups ; and,

WHEREAS, this Commission further finds that charging the residential property owners in many of these neighborhoods for the full cost of acquiring and installing a suitable backwater valve on site or making other, effective plumbing changes would impose an oppressive and unreasonable burden on the residential property owners; and,

WHEREAS, this Commission wishes to encourage qualifying residential property owners to place a backwater valve in their dwelling or make other effective plumbing changes in their dwelling which would assist in preventing likely sewer backups into their dwelling, thereby protecting the public health and safety and preserving the community's housing stock, through sharing the cost of placing such improvements so that the cost is not overly burdensome to the residential property owners; and,

WHEREAS the City has discovered that it is impractical to limit the cost of backwater valves to three thousand dollars and such limit on per valve costs should be eliminated from the program, and the total cost per qualifying residential property should be increased to Four Thousand Five Hundred Dollars (\$4,500.00); and,

WHEREAS, this Commission adopted Ordinances No. 98-359 and 00-360 establishing a backwater valve assistance program and now wishes to revise the said program a second time to provide funding to program participants to defray costs of purchasing and installing backwater valves or purchasing and installing other, permanent plumbing changes to a dwelling to encourage and expand participation in the program to reduce flooding in residential basements and thereby facilitate preservation of public health and safety; and,

WHEREAS, numerous requests have been made of the City to receive the benefits of this backwater valve assistance program and the season of high rainfall has arrived and this program should be implemented immediately to preempt water backups as much as possible during this season which this Commission finds creates an emergency to preserve the public peace, health, safety, welfare and property necessitating the immediate effectiveness of this Ordinance: NOW, THEREFORE:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio, at least four of its members concurring:

Section 1. That in view of the findings stated in the foregoing recitals, this Commission hereby establishes a revised policy for assisting members of qualifying locations in obtaining the benefits of water backup prevention assistance to serve their residential property when such water backup prevention assistance is likely to be of substantial assistance in the effective prevention of periodic sewer backups into their residential property. Water backup prevention assistance may be the use of a backwater valve or of making permanent changes to a dwelling's plumbing as selected by the property owner. Commencing on the effective date of this ordinance, residential property owners in a qualifying location and whose homes were built before the effective date of this Ordinance or received a building permit to be constructed before the effective date of this Ordinance may petition the Service Director in writing, on a form provided by the Service Director, to be supplied with water backup prevention assistance for installation by the property owner for the property owner's residential property in a qualifying location. Upon receipt of a petition in proper form from the property owner(s), the Service Director shall perform an investigation to determine whether the property for which the water backup prevention assistance is requested is a qualifying residential property in a qualifying location and whether the petitioner(s) are proper persons to make such petition. The Service Director may require petitioners to provide two or more estimates of costs to install the petitioner's selected permanent plumbing changes to be installed in the petitioner(s) dwelling. If the Service Director is

able to determine that the petitioner(s) are proper persons to make such petition and that the residential property for which the water backup prevention assistance is requested is a qualifying residential property in a qualifying location then the Service Director shall make arrangements to acquire an appropriate backwater valve to be transferred to the petitioner(s) or shall describe the petitioner's selected permanent plumbing changes to be installed in the petitioner(s) dwelling. Thereupon, the Service Director shall tender a water backup prevention assistance agreement to the petitioner(s). Upon proper execution of the tendered water backup prevention assistance agreement, the Service Director shall supply the backwater valve, if applicable, to the petitioner(s) to be installed and connected to the petitioner(s)' qualifying residential property by the petitioner(s) or shall fund, at least in part, the petitioner's selected permanent plumbing changes to be installed in the petitioner(s) dwelling.

Section 2. That the water backup prevention assistance agreement, described in Section 1, shall include the following provisions in addition to such other provisions as the Law Director determines are in the City's best interest::

- a) the petitioner(s)' agreement to properly install the backwater valve supplied by the City to the petitioner(s);
- b) the petitioner(s)' representation that they understand that the responsibility to install and to maintain the backwater valve and to pay all costs related to such installation and maintenance is entirely the responsibility of the property owners and not a responsibility of the City;
- c) the petitioner(s)' agreement to properly install certain, described, permanent plumbing changes to the petitioner(s) dwelling;
- d) the petitioner(s)' grant of permission to the City to enter on to the subject property, at no cost to the City, for purposes of inspecting to determine whether the water backup prevention measures have been properly installed;
- e) an acknowledgment that the backwater valve or described, permanent plumbing changes, when installed, shall be the property of the petitioner(s) and attach to the subject residential property as a fixture to real property and is not City property ;
- f) that the petitioner(s) will allow no part of the backwater valve or described, permanent plumbing changes to be disconnected or removed from the subject residential property unless such disconnected or removed portion is immediately replaced with a facility of equal or better function and quality as the original equipment installed pursuant to a water backup prevention assistance agreement entered into between petitioner(s) and the City;
- g) a copy of the manufacturer's warranty the petitioner(s) will have, if any, related to the backwater valve supplied by the City – no warranty will be provided by the City and the property owner must look to the backwater valve manufacturer and not to the City for any warranty rights;

- h) a covenant by the petitioner(s) that they will properly maintain the backwater valve and described, permanent plumbing changes made to the petitioner(s) dwelling pursuant to a water backup prevention assistance agreement entered into between petitioner(s) and the City;
- i) an acknowledgment and representation that the petitioner(s) are the owners of the subject residential property and that the petitioner(s) are responsible to arrange for and pay for the electricity and other utility facilities and services necessary for proper operation of the water backup prevention measurers described in the water backup prevention assistance agreement entered into between petitioner(s) and the City;
- j) an acknowledgment that the petitioner(s) are fully responsible to acquire any and all needed electrical and plumbing connections and any other personal property and rights in real estate necessary for the operation and for the installation of the water backup prevention measurers described in the water backup prevention assistance agreement entered into between petitioner(s) and the City;
- k) such indemnification provisions as the Law Director may deem appropriate;
- l) a provision that should the backwater valve supplied by the City at no cost to the property owner not be properly installed at the subject residential property within ninety (90) days of delivery of the backwater valve by the City to the petitioner(s), the City will be entitled to bill the property owner(s) for the City's cost of the backwater valve supplied and will be entitled to add such cost to the sewer bill related to the subject residential property and collect such charge as any other sewer charge;
- m) a promise to disconnect all downspouts and all sump pumps draining storm water or clean water (as opposed to raw sewage) now or hereafter located on the subject property from the City's sanitary or combined sewers and to drain all downspouts and all sump pumps draining storm water or clean water (as opposed to raw sewage) now or hereafter located on the subject property in accordance with City requirements,
- n) a promise by the City to reimburse the property owner(s) for the costs to put the backwater flow valve into operation or to procure and install the described, permanent plumbing changes to the petitioner(s)' dwelling pursuant to the water backup prevention assistance agreement entered into between petitioner(s) and the City,
- o) a promise by the City to reimburse the property owner(s) for up to One Hundred Dollars (\$100.00) to reimburse the substantiated costs incurred by the property owner(s) to disconnect all downspouts and sump pumps draining storm water or clean water (as opposed to raw sewage) on the subject property from the City's sanitary or combined sewers and to redirect such downspouts to drain storm water in accordance with City requirements; and

- p) provide that the provisions of the water backup prevention assistance agreement shall be binding upon the petitioner(s), the heirs, successors and assigns.

Section 3. For purposes of this Ordinance, the following terms shall have the meanings given herein.

- a) "Qualifying Residential Property" means a single family or two family residential structure built before the effective date of this Ordinance or receiving a building permit to be constructed before the effective date of this Ordinance and which is susceptible to periodic sewer backups, at which measures recommended by the Service Director to mitigate the potential for sewer backups have been implemented and have not proven adequately effective to prevent sewer backups and at which installation of a backwater valve or making permanent changes to a dwelling's plumbing will likely be of substantial assistance in preventing sewer backups in the dwelling.
- b) "Qualifying location" means a residential property or a cluster of residential properties which the Service Director determines are residences especially susceptible to periodic sewer backups: 1) due to a likelihood that storms will exceed sewer capacity or 2) due to the topographical circumstances of the location in relation to surrounding topography, to the location of sewer facilities and/or to the location of other discharges into the City's sewer system and residences at which measures recommended by the Service Director to mitigate the potential for sewer backups have been implemented and have not proven adequately effective to prevent sewer backups.

Section 4. That Ordinance No. 00-360 be and hereby is repealed.

Section 5. That expenditures up to four Thousand Five Hundred Dollars (\$4,500.00) per Qualifying Residential Property are hereby authorized to be expended to defray the costs to property owners to procure and put backwater flow valves into operation or to make permanent changes to a dwelling's plumbing, all pursuant to the terms of this Ordinance. The Finance Director, with the recommendation of the City Manager or his designee, may reimburse costs incurred by citizens participating in the program adopted in this Ordinance or in Ordinances No. 98-359 or 00-360 so as to provide similar treatment to all program participants, but under no circumstances will the city reimburse costs incurred under the program adopted in this Ordinance or in Ordinances No. 98-359 or 00-360 when those costs were incurred before July 1, 1998.

Section 6. That by reason of the emergency set forth and defined in the preamble hereto, this Ordinance shall take effect and be in force immediately.

PASSED this 17th day of April, A.D., 2001.

Marven R. Copeland
PRESIDENT OF THE CITY COMMISSION

Connie Chappell
CLERK OF THE CITY COMMISSION

(Not Published)

**CITY OF SPRINGFIELD
BACKWATER PREVENTION ASSISTANCE
PROGRAM APPLICATION**

I/we, _____, the owner/s

of the property located at _____

do hereby request consideration by the City of Springfield to be accepted for participation in the Backwater Prevention Program. I/we understand the Program involves assistance being provided only if the below address is effected by surcharging of the City's sewer collection system. By submission of this application, the City will take steps to make this determination, and I/we will grant legal access to the property and cooperate with City staff during their investigation.

Mailing Address of Applicant: _____

Telephone #'s:

Home _____

Business _____

Fax _____

DATE: _____

SIGNATURE OF APPLICANT/S: _____

ATTACHMENT A

OWNER SELECTED PERMANENT PLUMBING CHANGES

Applicant/s: _____

Address: _____

Having consulted with qualified licensed plumbers and having received estimates (attached) for their proposals, it has been decided:

- I/we have chosen to have a FloodGate Backwater Valve installed, and therefore request the City provide the device.
- I/we have chosen to have modifications made to the house plumbing that can best be described as follows:

Name of the plumbing firm I/we have chosen to perform the work: _____



Service Department

City of Springfield
Utilities Maintenance Division
Backwater Questionnaire

Dear Customer,

All backwater valve applicants are asked to complete the following survey, which will be used to supplement existing service and maintenance records for the address seeking consideration under the program. This survey will expedite and/or support justification of your request.

Thank You,

Mike Adamson
Utilities Superintendent

1. Name: _____
2. Address: _____
3. Number of years at this address: _____
4. How many years have you experienced sewage backflow due to heavy rain events at this address? _____
5. Please estimate the average number of sewage backflow events annually: _____
6. With what frequency are these events reported to the City? _____

7. Does the building have a gutter, downspout, or any other rain collection device which discharges to an unknown location? _____

8. Does the building waste and drain system include an operational sump pump? _____

**BACKWATER PREVENTION
PROGRAM PLUMBERS
TWO ESTIMATES REQUIRED**

PLUMBER	REGISTRATION #	PHONE
Allen Mechanical	2214 Lexington Ave. Springfield, OH 45505	937-322-7387
B & J Plumbing	1001 Skinner Ln. Springfield, OH 45504	937-325-1301
Belair Plumbing	2356 Saint Paris Pk. Springfield, OH 45503	937-342-8585
Pro Plumbing	5632 Willow Chase Cir. Springfield, OH 45502	937-605-1174
Rooter-Pro Plumbing / Jeff Dooley	627 Railroad St. Springfield, OH 45505	937-324-8074
Roto-Rooter Plumbing	2549 Stanley Ave. Dayton, OH 45404	937-323-6871
RPC Mechanical	10685 Medallion Dr. Dayton, OH 45241	937-312-0800
Rieck Services Plumbing & Heating	236 W. Main St. Springfield, OH 45504	937-323-3339
Roger Storer & Son Plumbing	315 S. Center St. Springfield, OH 45506	937-325-9873
Larry Figgins Plumbing	1915 Memorial Dr. Springfield, OH 45505	937-323-4536
Payton Plumbing	4631 Plateau Dr. Springfield, OH 45502	937-399-6290