

# FRACKVILLE AREA MUNICIPAL AUTHORITY

## RESOLUTION NO. 2024-4

### A RESOLUTION TO CONFIRM, CLARIFY AND RATIFY THE AUTHORITY'S POLICY REGARDING ITS RESPONSIBILITY AND RESPONSE TO SEWERAGE BACKUP COMPLAINTS

WHEREAS Sewerage backups caused by blockages are a serious health problem and great inconvenience to all parties, including FAMA, the plumbers and property owners; and

WHEREAS FAMA is not a guarantor that there will never be blockages in the main, and is responsible for only clearing the blockage in the main but, not for any resulting problems or costs; and.

WHEREAS Failure of the property owners to have a clean out on their laterals makes identifying and accessing the source of the problem that much more difficult, and inhibits and adds to the expense of trying to correct the problem,

Now THEREFORE, THE BOARD of the FRACKVILLE AREA MUNICIPAL AUTHORITY (FAMA) this 21<sup>st</sup> day of August, 2024, resolves as follows:

1. This Resolution hereby confirm, clarifies and ratifies the ongoing policy of FAMA heretofore known as and continuing to be known as the "CALL FAMA FIRST" sewer backup policy.
2. FAMA is responsible for the free flowing of sewerage in the main line. FAMA is not responsible for blockages or failures of the laterals that are connected to the main.
3. The laterals are the responsibility of the property owner up to the "clean out" which should be installed near the edge of the boundary line of the property with the street or right of way where the main is installed. If the clean out is not installed, or it is not installed near the property line, or is not installed in a manner approved by FAMA, or otherwise does not permit access to the lateral, the property owner is responsible for the entire lateral to its connection to the main. In some circumstances, FAMA has installed the main and at that time also installed a part of the lateral (called the stub) from the lateral's connection to the main to a "cleanout" at the curb or other place near the boundary line of the property owner's property. In only those circumstances will FAMA be responsible for the "stub" and the connection.
3. FAMA has determined that the most efficient method to resolve sewage backups is for the property owner to CALL FAMA FIRST upon the discovery of a sewerage backup. FAMA can then respond and in most situations can determine whether there is a blockage or other problem in the main and then FAMA has the opportunity to correct the issue with the main. If the problem is not with the main FAMA can then inform the property owner to direct investigative efforts to the lateral which is the responsibility of the homeowner;
4. The property owner always has the right to contact a plumber at the property owner's expense, at any time. However, where a property owner and/or plumber begin work prior to notifying FAMA first, FAMA will not be responsible for expenses incurred for work done on the owner's property in any

attempt to resolve the blockage issues, nor for any other expense incurred by the property owner if the property owner or plumber commences work before FAMA has completed its investigation.

5. Furthermore FAMA is not responsible for corrective work, replacement of laterals, connections, or other appurtenances which are the responsibility of the property owners or resultant costs or expenses incurred by a plumber or property owners under any circumstances.

6. FAMA will not be responsible for any expenses or costs incurred by the property owner, including restoration of lateral connections or any consequential problems on properties that do not have clean-outs that allow access to the laterals.

7. If in the course of its investigation FAMA cannot discover whether the main is blocked without digging up the main, FAMA will do so but the property owner will be financially responsible for reimbursing FAMA for that expense if FAMA determines the blockage problem is not in the main.

8. FAMA is not responsible for damages or corrective work made necessary by natural causes.

9.. FAMA reserves the right to modify application of this policy in unusual or unique circumstances where FAMA in its sole discretion determines it is in the best interest of FAMA and the efficient operation of the collection and treatment system to do so.

10. This Resolution shall be effective immediately upon adoption.

ADOPTED and RESOLVED the date and year first written above.

  
PRESIDENT

ATTEST:

  
SECRETARY

