



Department of Public Utilities Policies and Procedures

NUMBER: 20.07
EFFECTIVE DATE: 4/2/2007
SUPERCEDES: Private Pump Stations Policy dated 4/25/2005
SUBJECT: Private Pump Stations

I. Purpose

The purpose of this policy is to establish the criteria for use of private pump stations.

II. Authority

Section 2-157, et seq., defines the duties and responsibilities of the Department of Public Utilities which include the operation of the water and sanitary sewer utilities of the City. The Director has the authority to develop rules and regulations for the proper operation of the department.

Section 70-142(b)(2) allows for onsite handling of sewage. A determination has been made by the City Attorney's office that the use of a private pump station falls under this section of City Code.

III. Eligibility

Use of a private pump station for the conveyance of waste water only may be allowed with the approval of the Director or his designee when:

1. Under Chesapeake City Code and policies, connection to public sewer is not required, and
2. Under Chesapeake City Code and policies, connection to public sewer is allowed.

IV. Procedure

When an owner desires to use a private pump station, a written request shall be submitted to the Department of Public Utilities. Upon consideration of the above-referenced policies regarding the use of a

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private pump station, the Department of Public Utilities, in writing, shall approve or deny the use of a private pump station in the project's design.

If the use of a private pump station is approved:

1. Prior to activation of utilities, the owner shall provide verification (Member Code) of registration with the one call center (Miss Utility of Virginia).
2. When an owner sells or transfers the property, the owner shall notify the Chesapeake Department of Public Utilities 60 days prior to the transfer. The owner shall actively assist the City in the execution of a new sewer facility maintenance and operation agreement between the City and the prospective new owner of the property, which shall be complete and acceptable to the City prior to closing of the transfer (the "Settlement Date").
3. Each subsequent owner shall also be required to join the Notification Center as an operator, which is pursuant to the Virginia Underground Utility Damage Prevention Act, Section 56-265.16:1.

V. Criteria

1. Before the Department of Public Utilities will recommend approval of the plans to the Department of Public Works, the owner shall:
 - a. Enter into a signed written agreement with the City for the operation and maintenance of the private pump station. The agreement shall be recorded in the courthouse and shall run with the property. The agreement shall be prepared based on the particulars for the property to be served;
 - b. Pay any utility pro rata that is due because of existing improvements, and also, pay any utility pro rata that may become due when City utilities become available to the property;
 - c. Agree that only the property identified in the Sewer Facility Operation and Maintenance Agreement shall be allowed to connect to the private pump station or private force main, and further agree, that the owner has no legal right to expand, reduce or in any way add additional properties to be served by the private pump station, the private force main or any other private facilities;

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- d. Agree to upgrade the private pump station, at the owner's cost, in the event the system pressures change regardless of the reason for the change in pressure. The City shall not be liable for any costs or parts thereof associated with the maintenance, operation or upgrade of the private pump station and private facilities;
 - e. Save, defend, indemnify and hold the City, its officials, representatives, and employees harmless from and against any and all claims based on any theory of liability, including, but not limited to, claims for damages, fees, charges, penalties, fines, costs arising out of or related to the design, construction, operation and use of the private pump station or the agreement entered into with the City;
 - f. Agree that no other private pump stations can connect to the private force main without the express prior written permission of the City;
 - g. Agree that the owner shall be liable to the City for all costs, fines, charges, fees, and expenses associated with, arising out of or related to the City's response to any calls to the Department requesting the City to contain, remove, sanitize or clean-up any effluent discharged from leaks or damaged private force main or private facilities and owner shall be liable to the City for any and all reasonable repairs made to owner's private force main and/or private facilities, and shall indemnify the City, its departments, employees, representatives, and officials from and against any and all claims based on any theory of liability, including, but not limited to, property damage, personal injuries, or death, reasonable attorney's fees, costs and expenses; and
 - h. Acknowledge and agree that the City may, at any time, require that additional conditions be placed on the owner based on the unique circumstances of the affected properties.
2. Before the Department of Public Utilities will activate the utilities constructed in accordance with the approved plans, the owner shall:
- a. Pay all required connection fees prior to connection to the City's sewer system, and further acknowledge and agree to pay all required service charges as long as the private pump station is connected to the City's sewer system;
 - b. Obtain the necessary approvals from the Public Works Department to install the force main and gravity sewer lines in the City's right-of-way;

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- c. Obtain all necessary approvals from local, state, or federal officials for the design, construction, operation, maintenance and use of this private pump station. Copies of all such approvals and the Certificate to Operate shall be provided to Public Utilities prior to allowing the private facility to connect to City facilities
 - d. Be deemed an "operator" of a utility in accordance with the requirements of the Commonwealth of Virginia Underground Utility Damage Prevention Act, and shall join the Notification Center as required under the Virginia Underground Utility Damage Prevention Act, Section 56-265.16:1;
 - e. Upgrade any City facilities that are adversely impacted by the installation of the private pump station; and
 - f. Wrap the private force main in the City's right-of-way with utility tracer wire in accordance with the City's Public Facilities Manual, unless otherwise required in the Department's sole discretion.
3. In the administration and enforcement of this policy, the Department shall have the discretion to apply the general principles expressed herein to any unique, non-conforming situation, which may arise.

**Original signed by
J.K. Walski**

4-2-2007

Director, Public Utilities

Date