

Administrative Rules for Sewer Connection and Lateral Repair Permitting by BES

ENB-4.17

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ENVIRONMENTAL SERVICES
CITY OF PORTLAND
working for clean rivers

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These are the administrative rules of the Bureau of Environmental Services (BES) governing sewer connection and sewer lateral repair permitting.

1. Applicability

These rules direct and regulate the work of sewer contractors making connections to the public sewer system or repairing a sewer lateral within the public right-of-way (ROW) or a public sewer easement. The permit types subject to these rules are BES sewer connection (UC) permits and lateral repair (UR) permits.

The provisions of these rules apply to both UC and UR permits except where specific provisions for UC or UR permits are provided.

2. Purpose

The purpose of these rules is to establish the criteria and requirements BES will use to review, issue, and finalize UC and UR permits.

3. Definitions

These rules rely on a number of program-specific terms as defined in PCC Title 17; Administrative Rules ENB-4.14, ENB-4.15, ENB-4.27, and ENB-4.33; and the following:

- A. **“Applicant”** means any person, company, or agency that applies for a permit through the City of Portland, including all parties represented by the applicant.
- B. **“City Wye”** means a wye fitting that has been approved by the City and installed at a curb to serve separate properties.
- C. **“Sewer Contractor”** means the person or entity listed as the contractor on the UC or UR permit and is the party responsible for completing the work authorized by the issued UC or UR permit.
- D. **“Facial Challenge”** means a challenge to a requirement that is based on an argument that the requirement cannot be applied fairly or reasonably in any situation. By contrast, an as-applied challenge is one based on an argument that a requirement should not be applied to the challenger’s particular situation because of factors that, in the challenger’s view, distinguish it from similar situations.
- E. **“Maintenance Hole”** means a structure that provides access to underground utilities for maintenance and inspection purposes (commonly known as a manhole and abbreviated MH).
- F. **“Private Sewer Lateral”** means that portion of a sewer lateral within the public ROW or a public sewer easement that is not the maintenance responsibility of the City, as described in PCC Chapter 17.32.
- G. **“Nonconforming Private Sewer Line in the ROW”** means a sewer pipe in the public ROW, typically running parallel to the curb or other longitudinal edge that has not been adopted or accepted as a public improvement by the BES Chief Engineer.



- H. **“Public Sewer Lateral”** means the City-maintained portion of a sewer lateral, sometimes referred to as a “City Branch” or “Branch Sewer.” City maintenance responsibility is defined in PCC Chapter 17.32.

4. Regulatory Authority

These rules are authorized by PCC Section 3.13.040 and implement PCC Section 17.32.030.

5. Permit Required

Permits are required to access, connect, modify, construct, repair, or remove components of the public sewer system or repair private sewer laterals or nonconforming private sewer lines in the public ROW or public sewer easements. The permit types subject to these rules are UC and UR permits.

- A. UC permits are required for the following work in the public ROW or a public sewer easement:
1. Connection to a public sewer lateral.
 2. Connection to a public sewer main.
 3. Installation of a standard 48-inch diameter maintenance hole.
 4. Installation of a cleanout.
 5. Installation of a City wye.
 6. Abandonment or capping of a private sewer lateral or nonconforming private sewer line in the public ROW.
- B. UR permits are required for repairs to existing components of the sewer system that are within the public ROW or a public sewer easement and are not the maintenance responsibility of the City as established by PCC Chapter 17.32. UR permits are required for work involving the following:
1. Repair of a nonconforming private sewer line in the public ROW.
 2. Repair of a private sewer lateral, including:
 - a. For paved roadways including alleys, from the face-of-curb or edge-of-pavement to the property line. For locations with more than one curb such as a public stormwater facility, private maintenance is from the curb face closest to the property line to the property line.
 - b. For unpaved or gravel roadways including alleys, from the edge of the City’s 28-foot-wide maintenance area centered in the public ROW to the property line as described in PCC Chapter 17.32.
 - c. For public sewer easements, from the wye or tee connection at the public sewer main to the edge of the public sewer easement.



- d. For cured-in-place pipe (CIPP) liner repairs, as a standard permit condition, UR permits involving CIPP repairs are subject to the policies of Administrative Rule ENB-4.33 in addition to the policies of these rules.

6. Permit Application Review and Issuance

All UC and UR permit applications must be signed by the sewer contractor doing the work. Sewer work in the public ROW or in a public easement may be authorized only after a UC or UR permit has been issued. Issued permits expire after 180 days. Extensions up to an additional 180 days can be requested prior to the permit's expiration date if BES determines the sewer contractor has made a good-faith effort to complete the work. Refunds of UC and UR permits fees are subject to Administrative Rule ENB-4.29.

BES may delay, withhold, or refuse to issue a permit as described in PCC Chapter 17.32. Examples where BES may delay, withhold, or refuse to issue a permit include:

- A. Revisions to the Description of Work.** BES may require the description of proposed work to be modified for clarity or to meet City requirements.
- B. Contractor Qualifications.** Failure of a sewer contractor to meet the requirements of Section 8 of these rules ("Qualifications for Sewer Contractors").
- C. Work Items Requiring Additional Authorizations.** The work items proposed, and existing site conditions may require BES to coordinate with, and receive authorization from, other City bureaus prior to permit issuance. Design requests that do not follow the Sewer and Drainage Facilities Design Manual (SDFDM), Administrative Rule ENB-4.14, are subject to BES Design Variance review (e.g., an angled lateral or a slope of less than 2%). Work items that may require additional coordination and authorization include requests to:
 - 1. Deviate from the SDFDM or Standard Construction Specifications (SCS).
 - 2. Connect to or construct an angled lateral. Angled laterals are subject to BES Design Variance review and require a Portland Bureau of Transportation (PBOT) Design Exception.
 - 3. Connect using a deep connection riser (DCR).
 - 4. Install an inside drop connection.
 - 5. Have the Environmental Systems Division – Maintenance Operations (ESD-MO) install the connection. Refer to Section 9 of these rules for additional information regarding ESD-MO installations.
 - 6. Repair damaged pipe using CIPP liners. UR Permits for CIPP lining will only be issued to manufacturer-certified installers as approved in writing by BES. BES policies for CIPP lining repairs are provided in Administrative Rule ENB-4.33.



- D. Nonconforming Sewer Connections.** Properties that have suspected, pending, or unresolved nonconforming sewer connections are subject to Administrative Rule ENB-4.27 and any proposed sewer work will be reviewed by the BES Nonconforming Sewer (NCS) Program. City wyes will only be allowed by exception and must be approved on a case-by-case basis by the NCS Program.
- E. Payment of Fees.** BES will withhold permit issuance until all applicable fees have been paid.
- F. Expired, Unresolved Permits.** BES may withhold permit issuance if City-requested corrective actions for any previously-issued permit have not been resolved.
- G. Public Works Permitting Review.** BES will withhold permit issuance if site conditions or the description of work necessitate review and permitting under the City’s public works permitting process.
- H. Route of Service.** All connections will be made along a route of service approved by BES. BES will delay or withhold permit issuance if BES determines that site conditions require consideration of a new route of service to the public sewer system.

7. Qualifications of Sewer Contractor

Work authorized by a UC or UR permit must be performed by a sewer contractor with all the following:

- A.** An Oregon Construction Contractors Board license;
- B.** PBOT Street Use Insurance for work in the public ROW;
- C.** A PBOT Street Opening Bond for work in the public ROW;
- D.** If conducting CIPP lateral lining in the public ROW, authorization to work as a CIPP-approved installer as described in Administrative Rule ENB-4.33; and
- E.** Any qualifications determined necessary by the Chief Engineer.

8. Sewer Connections Subject to Installation by ESD-MO

BES may require ESD-MO to install or provide additional inspection requirements for connection requests involving:

- A.** A VSP (clay) public sewer main that is 15 inches in diameter or larger,
- B.** A public sewer main that is 36 inches in diameter or larger, or
- C.** Any brick public sewer main or brick maintenance hole.

Refer to Section 13 of these rules for ESD-MO coordination and timelines.



9. Inspections and Pre-construction Meetings

- A. After permit issuance, sewer contractors must request inspection by PBOT ROW Utility and Construction Inspection (UCI). All authorized pipe work must be inspected before backfilling.
- B. At the time of the scheduled inspection, work must be ready for PBOT ROW UCI or the inspection will be rescheduled.
- C. Pre-construction meetings with PBOT ROW UCI are required for work involving a maintenance hole installation, a connection to an existing maintenance hole, boring or drilling a connection, or as required by BES. Requirements for pre-construction meetings will be specified in the permit.
- D. CIPP lateral-lining inspection protocols are subject to Administrative Rule ENB-4.33.

10. Requirements of the Sewer Contractor

The requirements in this section apply to all issued UC and UR permits. Additional requirements specific to UC permits are included in Section 12.

A. Prior to Commencing Work.

After BES has issued the permit but prior to beginning the work authorized, the sewer contractor must:

1. Verify that all the information on the issued permit is correct.
2. Follow the requirements of these rules unless a deviation is approved in writing in advance by BES.
3. Have a copy of the issued permit on site at all times.
4. Comply with the rules of the Oregon Utility Notification Center (OUNC) and call the Oregon One Call Center (dial 811) and notify OUNC.

B. During Construction.

1. Links to the documents referenced below can be found on the [Guide to UR and UC Permits – Lateral Repairs and Connections to Public Sewer](#) web page. If site conditions require a change to the work authorized in the permit, the sewer contractor must contact PBOT ROW UCI or UR/UC permitting staff to determine if revisions to the permit are needed. Permit revisions may require additional work, fees, and charges that were not known or anticipated during the City's review and issuance of the initial permit. All applicable fees and charges must be paid prior to issuance of the revised permit.
2. The SCS, SCS Special Provisions, Standard Details and Drawings, and Typical Details must be followed unless otherwise approved in writing by BES.
3. The SDFDM must be followed.



4. Shoring and trench protection must be installed as required by the Oregon Occupational Safety and Health Division and the City's SCS. Engineered shoring is required for excavations deeper than 20 feet.
5. The location of the downstream connection point must be verified by the sewer contractor prior to any lateral or plumbing installation. Downstream connection points may be verified by potholing or other means to determine elevation and depth of connection.
6. When work involves boring or drilling, all utilities must be located by potholing or an electronic locating device.
7. Excavations to locate an existing public sewer lateral must be a minimum of 3 feet in all directions (horizontally and vertically) before contacting PBOT ROW UCI or BES for assistance in finding the public sewer lateral.
8. The existing public sewer lateral downstream of the repair or connection must be inspected to verify it is clear of obstructions, sags, offset joints, or broken pipe. If defects or debris are found, then the sewer contractor must contact PBOT ROW UCI. PBOT ROW UCI will determine if coordination with ESD-MO is needed.
9. All lateral repair work must be extended from the property line to the end of the private sewer lateral. Spot repairs are not allowed within the public ROW.
10. ABS pipe is not allowed in the public ROW or public sewer easements.
11. Sliplining (sleeving) repairs are only allowed in 6 inch or greater diameter laterals.
12. When work requires pipe bends, the following standards apply unless otherwise approved by PBOT ROW UCI prior to installation:
 - a. Pipe bends greater than 1/16 (22.5 degrees) are not allowed.
 - b. No more than four vertical bends are allowed in the public ROW.
 - c. Laterals must be installed perpendicular to the public sewer main.
 - d. A minimum of 3 feet of straight pipe is required between each bend.
13. When the work involves pipe-bursting, the manufacturer's requirements for pipe-bursting must be followed.
14. A watertight connection must be installed at the downstream end with approved flexible coupling with full-length, stainless-steel shear bands or a City-approved equivalent.
15. Pipe bedding, backfilling, and compaction of trenches must conform with the City's SCS, SCS Special Provisions, Standard Details and Drawings and Typical Details.
16. Street pavement restoration is subject to PCC Chapter 17.24, PBOT surface restoration Standard Drawings, and the City's SCS.
17. If damage to a public sewer main or maintenance hole occurs, the sewer contractor must immediately call PBOT ESD-MO at (503) 823-1700 prior to making any repairs.



11. Construction Methods Subject to Additional Requirements

- A. Sliplining, Pipe-Bursting and Drilling.** Video inspection in the presence of PBOT ROW UCI may be required by inspection due to site conditions such as a pipe with possible bends, a slope of less than 5%, or installation in rocky soils. Required video inspections are subject to the following requirements:
1. Active flow in the presence of PBOT ROW UCI is required.
 2. Images must be clear and sharp in accordance with Section 00401 of the City's SCS.
 3. The camera must be capable of inspecting the full length of the sewer lateral, from private property to the main.
 4. A locating head device on the camera that can be detected from the surface to determine horizontal and vertical positions is required in accordance with Section 00401 of the City's SCS.
- B. CIPP lining in the Public ROW.** In addition to meeting the requirements of these rules, UR permits for CIPP liner repairs are also subject to Administrative Rule ENB-4.33.

12. Additional Requirements for UC Permits

Additional requirements specific to work authorized by a UC permit include:

- A.** The minimum sewer lateral diameter in the public ROW or a public sewer easement is 6 inches.
1. By exception, BES may allow a 4-inch diameter lateral for properties with up to two dwelling units. If additional dwelling units are added, BES may require the 4-inch lateral to be upsized to accommodate the increased density. Under no circumstance will the interior diameter of a sewer lateral located within the public ROW be less than the interior diameter of the connecting lateral located outside of the public ROW on private property.
- B.** Public sewer laterals must be installed perpendicular to the public sewer main and meet the design standards of the SDFDM (e.g., separation distances, cover, minimum slope, etc.).
- C.** For concrete and/or clay sewer pipe, only one core drill tap is allowed per main segment.
- D.** In combined public sewer areas where there is no separate storm system, BES does not require separate storm and sanitary laterals in the public ROW but may allow them. A project that has separate storm and sanitary sewer laterals leaving a private property in a combined public sewer area should connect the storm sewer lateral to the sanitary sewer lateral with a wye fitting at the face of curb or at edge of a public sewer easement for a single discharge to the combined public sewer.
1. A cleanout must be installed on a straight lateral, typically sanitary, behind the curb. The storm and sanitary laterals must remain in parallel and at the same grade in the public ROW or public sewer easement wherever possible (see Figure 1, Typical Detail of Storm and Sanitary Lateral Wye Connection).



- E.** Standard 48-inch maintenance holes must be installed in accordance with the City's SCS and Standard Drawings P-150 and P-151 (see SCS 00490 and 00470). Maintenance hole certification documents must be provided to PBOT ROW UCI and approved by the City's Materials Testing Lab. Installation of a maintenance hole greater than 48 inches will be allowed by public works permit only.
- F.** Connection to an existing maintenance hole must be core-drilled and 12-inch core hole clearances must be maintained from all other core holes (outside diameter to outside diameter) and maintenance hole section breaks. The concrete must be in good condition between connections (see SCS 00490 and SDFDM Chapter 4.6).
- G.** Common lateral connection types by main size are shown in Table 1. Core-drilled lateral taps may not exceed one-half the main's diameter except for an 8-inch lateral core-drilled connection to a 15-inch main (see SCS 00445 and 00490 and the SDFDM). Sewer lateral connections must be connected to the sewer main and installed in accordance with the manufacturer's recommendations. Transition couplings between dissimilar pipe materials must be made using approved commercial adapters. (E.g., Inserta Tee® connections or an approved equivalent. Contact PBOT ROW UCI for preinstallation approvals.) Connections must be watertight and not protrude past the inside wall surface or damage the existing sewer main (see SCS 00445 and 00490).
- H.** A connection to a high-density polyethylene (HDPE) main where the lateral diameter is more than half the diameter of the main will require either molded butt fusion HDPE fittings or molded saddle fusion HDPE fittings. In situations where laterals exceed the sizes available in molded fittings, fabricated HDPE fittings will be allowed only with approval (see SCS 00412 and 00445).
- I.** When relocating an existing connection, the existing lateral must be abandoned. A separate UC permit is required to abandon the existing lateral.
- J.** When abandoning laterals, a watertight cap must be installed on the face of the remaining public lateral and in the face of the remaining abandoned privately maintained lateral. For lateral diameters larger than 6 inches, follow SCS 00490.
- K.** Nonconforming private sewer lines in the ROW and private sewer laterals must be abandoned per SCS 00490. Permanent watertight plugs must be installed at the upstream and downstream ends of the nonconforming private sewer line.



Table 1. Common Lateral Connection Types by Main Size

		Public Sewer Main Diameter (inches)								
		6	8	10	12	14	15	16	18	20
Lateral Diameter (inches)	4	Tee Fitting	Core drill tap	Core drill tap	Core drill tap	Core drill tap	Core drill tap	Core drill tap	Core drill tap	Core drill tap
	6	MH	Tee Fitting	Tee Fitting	Core drill tap	Core drill tap	Core drill tap	Core drill tap	Core drill tap	Core drill tap
	8	NA	MH	Tee Fitting	Tee Fitting	Tee Fitting	Core drill tap	Core drill tap	Core drill tap	Core drill tap
	10	NA	NA	MH	Tee Fitting	Tee Fitting	Tee Fitting	Tee Fitting	Tee Fitting	Core drill tap

Notes:

NA means not applicable. MH means maintenance hole.

Installation of a MH is required for any connection where the lateral diameter is equal to the public sewer main diameter or as directed by BES.

MHs may be used for any connection type listed in Table 1 as reviewed and approved by BES.

13. ESD-MO-Installed Connections

The following pertains to ESD-MO-installed connections that have been required by BES as a permit condition or that have been requested by the sewer contractor:

- A. The sewer contractor may request that ESD-MO install tee/wye stubs or fittings for the connection at the sewer contractor’s expense. Requests for ESD-MO installations will be prioritized based on staff availability and may be denied.
- B. The sewer contractor is responsible for providing and adequately shoring the excavation, furnishing all materials required by ESD-MO to install the tee/wye stub or fitting, and ensuring that the site is prepared before ESD-MO arrives.

14. Coordination with Other City Bureaus

Work authorized under a UC or UR permit may be subject to code and rule requirements regulated under the authority of other City bureaus. It is the responsibility of the sewer contractor to coordinate with all City bureaus regarding assets or utilities that could be impacted by the work being performed.

15. Violations and Enforcement

Persons violating these rules may be subject to the enforcement actions specified in Administrative Rule ENB-4.15 (Enforcement Program). Each day a violation occurs may be considered a separate violation.



- A. Violations.** The person against whom BES takes enforcement action is ultimately required to resolve the violations at issue. Such violations include, but are not limited to, the following:
1. Failure to obtain a UR or UC permit.
 2. Failure to ensure that the work comports with the description of work on the issued UR or UC permit.
 3. Failure to comply with the conditions of a UR or UC permit.
 4. Failure to immediately notify ESD-MO of emergency work in the ROW.
 5. Failure to apply for a UR or UC permit for emergency work in the ROW within three days.
- B. Violation Severity.** Violations are classified based on the degree of deviation from BES’s regulations or the degree to which it jeopardizes human health, safety, or welfare or the environment as described in ENB-4.15.
- C. Enforcement Tools.** BES enforcement tools are defined in Administrative Rule ENB-4.15. Failure to take required corrective actions may result in escalating enforcement and increased penalty assessments.
- D. Penalties and Cost Recovery.** BES may recover all City costs related to the abatement of a violation and all outstanding penalties from the persons who committed the violation. Penalties will be assessed, and costs recovered as described in Administrative Rule ENB-4.15.

16. Administrative Review and Appeal

A person may request reconsideration of a BES decision through administrative review as described in this section. Administrative review and appeal of an enforcement action is also governed by Administrative Rule ENB-4.15. After the requestor has exhausted all BES administrative reviews, the requestor may file for an appeal of a decision with the Code Hearings Officer (CHO) per PCC Title 22. A person may only appeal a decision that is subject to administrative review by BES.

- A. Administrative Review Requests.** A person to whom a notice was addressed will have 20 business days from the date the notice was issued to submit a written request for administrative review of a decision described in the notice. The requestor must provide all information known to the requestor that supports an assertion made in the written request for administrative review. The requestor must provide such information via graphic, written, or recorded communication or in person at the administrative review meeting. BES will hold an administrative review meeting within 15 business days of receipt of the written request for administrative review unless BES determines in its reasonable discretion that a delay is justified. The requestor may provide detailed information in writing in lieu of attending the administrative review meeting.



B. Non-Reviewable Items. A BES decision made under these rules is subject to administrative review except that BES will not grant administrative review for any of the following:

1. Refusal to accept an improvement into the public sewer system,
2. Refusal to issue a UC or UR permit,
3. Specification of the required route of service to connect with a public improvement,
4. A Facial Challenge – as that term is defined in these rules – to a requirement in these rules or associated City code or to any technical standard,
5. A requirement to meet a technical standard as applied by BES to a particular party, or
6. BES’s authority to recover costs for City abatement of a violation of these rules or of associated City Code.

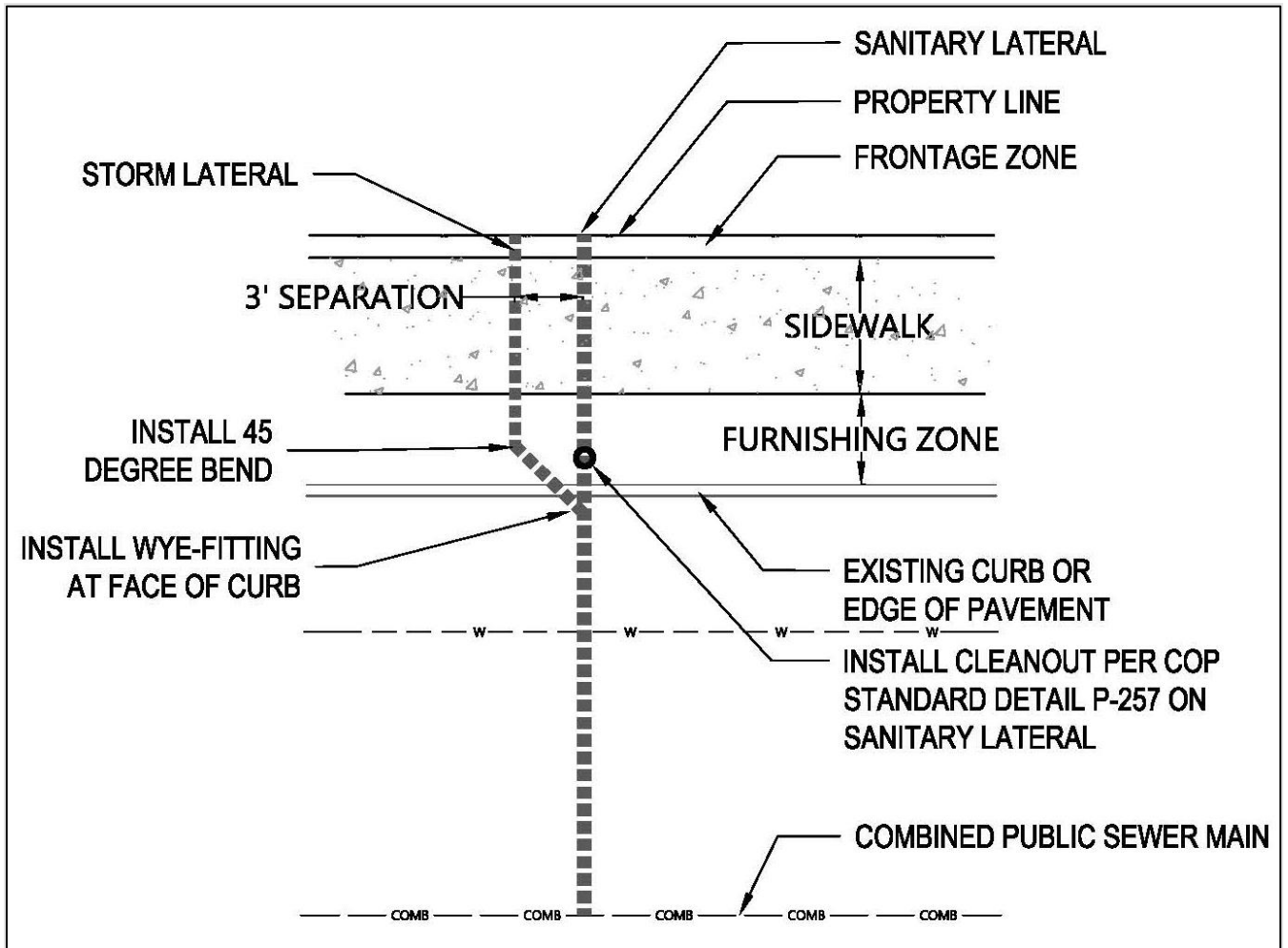
Although the technical BES decisions specified in Section 16.B.1-6 of these rules are not subject to administrative review, BES may reconsider and modify a BES staff decision under Section 16.B.1-3 based on additional information regarding site-specific facts. BES’s final decision on these matters is not subject to administrative review, per Section 16.B of these rules.

C. BES Evaluation. BES will use authorizing City Code, the provisions of these rules, Administrative Rule ENB-4.15, City records, and the testimony and documentation provided by the requestor to make a final determination on the issue that is the subject of the administrative review.

D. Final Determination. BES will issue to the requestor a written determination within 15 business days of the administrative review meeting unless BES determines that extenuating circumstances justify a reasonably longer period of evaluation. The written final determination will provide information about the process for filing an appeal to the CHO.



Figure 1. Typical Detail of Storm and Sanitary Lateral Wye Connection



Not to scale

