

1 **Administrative Rules for Sewer Connection**
2 **and Lateral Repair Permitting by BES**

3 **ENB-4.17**

4 **April 2024 Update – Public Review Draft**



ENVIRONMENTAL SERVICES
CITY OF PORTLAND
working for clean rivers

5
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28 These are [the](#) administrative rules of the Bureau of Environmental Services (BES) governing sewer
29 connection and sewer lateral repair permitting.

30 1. Applicability

31 ~~This~~ [These](#) rules ~~s~~ direct~~s~~ and regulat~~e~~s the work of sewer contractors making connections to the
32 public sewer system or repairing a sewer lateral within the public right-of-way (ROW) or a public
33 sewer easement. The permit types subject to ~~this~~ [these](#) rule~~s~~ are BES sewer connection (UC) permits
34 and lateral repair (UR) permits. ~~UC permits apply when making a new connection to the public~~
35 ~~sewer. UR permits apply to sewer laterals and private lines that are located within the public ROW~~
36 ~~or public sewer easements and that are not the City's maintenance responsibility, as described in~~
37 ~~established by Portland City Code (PCC) Chapter 17.32.~~

38 The provisions of ~~this~~ [these](#) rule~~s~~ apply to both UC and UR permits except where specific provisions
39 for UC or UR permits are provided.

40 2. Purpose

41 The purpose of ~~this~~ [these](#) rule~~s~~ is to establish the criteria and requirements BES will use to review,
42 issue, and finalize UC and UR permits.

43 3. Definitions

44 [These rules rely on a number of program-specific terms as defined in PCC Title 17](#) ~~These rules use the~~
45 ~~definitions of PCC Chapters 17.04, 17.32, 17.33, 17.34, 17.36, and 17.38; BES~~ Administrative Rules
46 ENB-4.14, ENB-4.15, ENB-4.27, and ENB-4.33; and the following:

- 47 **A. “Applicant”** means any person, company, or agency that applies for a permit through the City of
48 Portland, including all parties represented by the applicant.
- 49 **B. “City Wye”** means a wye fitting that has been approved by the City and installed at a curb to
50 serve separate properties.
- 51 **C. “Sewer Contractor”** means the person or entity listed as the contractor on the UC or UR ~~P~~[p](#)ermit
52 and is the party responsible for completing the work authorized by the issued UC or UR ~~p~~[p](#)ermit.
- 53 **D. “Facial Challenge”** means a challenge to a requirement that is based on an argument that the
54 requirement cannot be applied fairly or reasonably in any situation. By contrast, an as-applied
55 challenge is one based on an argument that a requirement should not be applied to the
56 challenger’s particular situation because of factors that, in the challenger’s view, distinguish it
57 from similar situations.
- 58 **E. “Maintenance Hole”** means a structure that provides access to underground utilities for
59 maintenance and inspection purposes (commonly known as a manhole and abbreviated MH).
- 60 **F. “Private Sewer Lateral”** means that portion of a sewer lateral within the public ROW or a public
61 sewer easement that is not the maintenance responsibility of the City, as described in PCC
62 Chapter 17.32.



63 G. ~~“Private Sewer Line Nonconforming Private Sewer Line in the ROW”~~ means a sewer pipe in
64 the public ROW, typically running parallel to the curb or other longitudinal edge, ~~that has been~~
65 ~~designated as “private” by the BES Chief Engineer or~~ that has not been adopted or accepted as a
66 public improvement by the BES Chief Engineer.

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

70 4. Regulatory Authority

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

72 5. Permit Required

73 Permits are required to access, connect, modify, construct, repair, or remove components of the
74 public sewer system or repair private sewer laterals or nonconforming private sewer lines in the
75 public ROW or public sewer easements. The permit types subject to ~~this~~ these rules ~~include~~ are
76 ~~sewer connection (UC)~~ and ~~lateral repair (UR)~~ permits.

77 A. UC permits are required for the following work in the public ROW or a public sewer easement:

- 78 1. Connection to a public sewer lateral.
- 79 2. Connection to a public sewer main.
- 80 3. Installation of a standard 48-inch diameter maintenance hole.
- 81 4. Installation of a cleanout.
- 82 5. Installation of a City wye.
- 83 6. Abandonment or capping of a private sewer lateral or nonconforming private sewer line in
84 the public ROW.

85 B. UR permits are required for repairs to existing components of the sewer system that are within
86 the public ROW or a public sewer easement and are not the maintenance responsibility of the
87 City as ~~described in~~ established by PCC Chapter 17.32. UR permits are required for work involving
88 the following:

- 89 1. Repair ~~of~~ to a nonconforming private sewer line in the public ROW.
- 90 2. Repair ~~of~~ to a private sewer lateral, including:
 - 91 a. For paved roadways including alleys, from the face-of-curb or edge-of-pavement to the
92 property line. For locations with more than one curb such as a public stormwater
93 facility, private maintenance is from the curb face closest to the property line to the
94 property line.



- 95 b. For unpaved or gravel roadways including alleys, from the edge of the City’s 28-foot-
96 wide maintenance area centered in the public ROW to the property line as described in
97 PCC Chapter 17.32.
- 98 c. For public sewer easements, from the wye or tee connection at the public sewer main
99 to the edge of the public sewer easement.
- 100 d. For cured-in-place pipe (CIPP) liner repairs, as a standard permit condition, UR permits
101 involving CIPP repairs are subject to the policies of ~~BES~~ Administrative Rule ENB-4.33 in
102 addition to the policies of ~~this~~ these rules.

103 6. Permit Application Review and Issuance

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

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

112 **A. Revisions to the Description of Work.** BES may require the description of proposed work to be
113 modified for clarity or to meet City requirements.

114 **B. Contractor Qualifications.** Failure of a sewer contractor to meet the requirements of Section 8
115 of ~~this~~ these rules; (“Qualifications for Sewer Contractors”).

116 **C. Work Items Requiring Additional Authorizations.** The work items proposed, and existing site
117 conditions may require BES to coordinate with, and receive authorization from, other City
118 bureaus prior to permit issuance. Design requests that do not follow the Sewer and Drainage
119 Facilities Design Manual (SDFDM), Administrative Rule ENB-4.14, are subject to BES Design
120 Variance review (e.g., an angled lateral or a slope ofs less than 2%). Work items that may require
121 additional coordination and authorization include requests to:

- 122 1. Deviate from the ~~City’s~~ SDFDM or Standard Construction Specifications (SCS).
- 123 2. Connect to or construct an angled lateral. Angled laterals are subject to BES Design Variance
124 review and require a Portland Bureau of Transportation (PBOT) Design Exception.
- 125 3. Connect using a deep connection riser (DCR).
- 126 4. Install an inside drop connection.
- 127 5. Have the Environmental Systems Division – Maintenance Operations (ESD-MO) install the
128 connection. Refer to Section 9 of ~~this~~ these rules for additional information regarding ESD-
129 MO installations.



130 6. Repair damaged pipe using CIPP liners. UR Permits for CIPP lining will only be issued to
131 manufacturer-certified installers as approved in writing by BES. BES policies for CIPP lining
132 repairs are provided in Administrative Rule ENB-4.33.

133 **D. Nonconforming Sewer Connections.** Properties that have suspected, pending, or unresolved
134 nonconforming sewer connections are subject to ~~BES~~ Administrative Rule ENB-4.27 and any
135 proposed sewer work will be reviewed by the BES Nonconforming Sewer (NCS) Program. City
136 wyes will only be allowed by exception and must be approved on a case-by-case basis by the
137 NCS Program.

138 **E. Payment of Fees.** BES will withhold permit issuance until all applicable fees have been paid.
139 ~~These fees include UC and UR permit fees, system development charges (SDC), non-conforming~~
140 ~~sewer conversion charges, line and branch charges, or other delinquent fees or City charges.~~

141 **F. Expired, Unresolved Permits.** BES may withhold permit issuance if City-requested corrective
142 actions ~~of~~for any previously-issued permit have not been resolved.

143 **G. Public Works Permitting Review.** BES will withhold permit issuance if site conditions, or the
144 description of work necessitate review and permitting under the City's public works permitting
145 process.

146 **H. Route of Service.** All connections will be made along a route of service approved by BES. BES will
147 delay or withhold permit issuance if BES determines that site conditions require consideration of
148 a new route of service to the public sewer system.

149 7. Qualifications of Sewer Contractor

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

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

158 8. Sewer Connections Subject to Installation by ESD-MO

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

- 161 **A.** A VSP (clay) public sewer main that is 15 inches in diameter or larger,
- 162 **B.** A public sewer main that is 36 inches in diameter or larger, or



- 163 C. Any brick [public sewer](#) main or brick maintenance hole.
164 ~~D.~~ Refer to Section 13 of ~~this~~ [these](#) rules for ESD-MO coordination and timelines.

165 9. Inspections and Pre-construction Meetings

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

175 10. Requirements of the Sewer Contractor

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

178 A. Prior to Commencing Work.

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

- 181 1. Verify that all the information on the issued permit is correct.
- 182 2. ~~Read, understand, and f~~Follow the requirements ~~specified in~~[of this](#) ~~these~~ administrative
183 rules ~~unless a.~~ Any deviation ~~from the requirements specified in this rule must be~~[is](#)
184 approved in writing in advance by BES ~~prior to starting work~~.
- 185 3. Have ~~a~~ copy of the issued permit ~~on~~[s](#)ite at all times.
- 186 4. Comply with ~~required~~[the](#) rules ~~adopted by~~[of](#) the Oregon Utility Notification Center (OUNC)
187 and call the Oregon One Call Center (dial 811) and notify OUNC.

188 B. During Construction.

- 189 1. Links to the documents referenced below can be found on the [Guide to UR and UC Permits](#)
190 [– Lateral Repairs and Connections to Public Sewer](#) web page. If site conditions require a
191 change to the work authorized in the permit, the sewer contractor must contact PBOT ROW
192 UCI or UR/UC permitting staff to determine if revisions to the permit are needed. Permit
193 revisions may require additional work, fees, and charges that were not known or anticipated
194 during the City’s review and issuance of the initial permit. All applicable fees and charges
195 must be paid prior to issuance of the revised permit.



- 196 2. The SCS, SCS Special Provisions, Standard Details and Drawings, and Typical Details must be
197 followed unless otherwise approved in writing by BES.
- 198 3. The SDFDM must be followed.
- 199 4. Shoring and trench protection must be installed as required by [the Oregon Occupational](#)
200 [Safety and Health Association Division Standards](#) and the City's SCS. Engineered shoring is
201 required for excavations deeper than 20 feet.
- 202 5. The location of the downstream connection point must be verified by the sewer contractor
203 prior to any lateral or plumbing installation. Downstream connection points may be verified
204 by potholing or other means to determine elevation and depth of connection.
- 205 6. When work involves boring or drilling, all utilities must be located by potholing or [an](#)
206 electronic locating device.
- 207 7. Excavations to locate an existing public [sewer](#) lateral must be a minimum of 3 feet in all
208 directions (horizontally and vertically) before contacting PBOT ROW UCI or BES for
209 assistance in finding the public [sewer](#) lateral.
- 210 8. The existing public [sewer](#) lateral downstream of the repair or connection must be inspected
211 to verify it is clear of obstructions, sags, offset joints, or broken pipe. If defects or debris are
212 found, then the sewer contractor must contact PBOT ROW UCI. PBOT ROW UCI will
213 determine if coordination with ESD-MO is needed.
- 214 9. All lateral repair work must be extended from the property line to the end of the private
215 [sewer](#) lateral ~~maintenance area~~. Spot repairs are not allowed within the public ROW.
- 216 10. ABS pipe is not allowed in the public ROW or public sewer easements.
- 217 11. Sliplining (sleeving) repairs are [only](#) allowed in 6 inch or greater diameter laterals.
- 218 12. When work requires pipe bends, the following standards apply unless otherwise approved
219 by PBOT ROW UCI prior to installation:
- 220 a. Pipe bends greater than 1/16 (22.5 degrees) are not allowed.
- 221 b. No more than four vertical bends are allowed in the public ROW.
- 222 c. Laterals must be installed perpendicular to the [public](#) sewer main.
- 223 d. A minimum of 3 feet of straight pipe is required between each bend.
- 224 13. When the work involves pipe-bursting, the manufacturer's requirements for pipe-bursting
225 must be followed.
- 226 14. A watertight connection must be installed at the downstream end with approved flexible
227 coupling with full-length, stainless-steel shear bands or a ~~an~~ [City-approved equivalent](#).



228 15. Pipe bedding, backfilling, and compaction of trenches must ~~be provided in conformance~~
229 with the City’s SCS, SCS Special Provisions, Standard Details and Drawings and Typical
230 Details.

231 16. Street pavement restoration is subject to PCC Chapter 17.24, PBOT surface restoration
232 Standard Drawings, and the City’s SCS.

233 17. If damage to a public sewer main or maintenance hole occurs, the sewer contractor must
234 immediately call PBOT ESD-MO at (503) 823-1700 prior to making any repairs.

235 **11. Construction Methods Subject to Additional Requirements**

236 **A. Sliplining, Pipe-Bursting and Drilling.** Video inspection in the presence of PBOT ROW UCI may
237 be required by inspection due to site conditions such as a pipe with possible bends, ~~with a~~ slope
238 of less than 5%, or installation in rocky soils. ~~If Required~~ video inspections ~~are required, they are~~
239 subject to the following requirements:

240 1. Active flow in the presence of PBOT ROW UCI is required.

241 2. Images must be clear and sharp in accordance with Section 00401 of the City’s SCS.

242 3. The camera must be capable of inspecting the full length of the sewer lateral, from private
243 property to the main.

244 4. A locating head device on the camera that can be detected from the surface to determine
245 horizontal and vertical positions is required in accordance with Section 00401 of the City’s
246 SCS.

247 **B. CIPP lining in the Public ROW.** In addition to meeting the requirements of ~~this~~ these rules, UR
248 permits for CIPP liner repairs are also subject to ~~BES~~ Administrative Rule ENB-4.33.

249 **12. Additional Requirements for UC Permits**

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

251 **A.** The minimum sewer lateral diameter in the public ROW or a public sewer easement is 6 inches.

252 1. By exception, BES may allow a 4-inch diameter lateral for properties with up to two dwelling
253 units. If additional dwelling units are added, BES may require the 4-inch lateral to be upsized
254 to accommodate the increased density. ~~Downstream interior lateral diameter cannot~~
255 ~~decrease under any circumstances.~~ Under no circumstance will the interior diameter of a
256 sewer lateral located within the public ROW be less than the interior diameter of the
257 connecting lateral located outside of the public ROW on private property.

258 **B.** ~~Public sewer~~ laterals must be installed perpendicular to the public sewer main and meet the
259 design standards of the SDFDM (e.g., separation distances, cover, minimum slope, etc.).

260 **C.** For concrete and/or clay sewer pipe, only one core drill tap is allowed per main segment.



- 261 D. In combined public sewer ~~main~~ areas where there is no separate storm system, BES does not
262 require separate storm and sanitary laterals in the public ROW but ~~will~~may allow them. A
263 pProjects that has~~ve~~ separate storm and sanitary sewer laterals leaving a private property in a
264 combined public sewer area should connect the storm sewer lateral to the ~~public~~ sanitary sewer
265 lateral with a wye fitting at the face of curb or at edge of a public sewer easement for a single
266 discharge to the combined public sewer.
- 267 1. A cleanout must be installed on ~~a the~~ straight lateral, typically sanitary, behind the curb. The
268 storm and sanitary laterals must remain in parallel and at the same grade in the public ROW
269 or public sewer easement wherever possible (see Figure 1, Typical Detail of Storm and
270 Sanitary Lateral Wye Connection).
- 271 E. Standard 48-inch maintenance holes must be installed in accordance with the City’s SCS and
272 Standard Drawings P-150 and P-151 (see SCS 00490 and 00470). Maintenance hole certification
273 documents must be provided to PBOT ROW UCI and approved by the City’s Materials Testing
274 Lab. Installation of a maintenance hole greater than 48 inches will be allowed by public works
275 permit only.
- 276 F. Connection to an existing maintenance hole must be core-drilled and 12-inch core hole
277 clearances must be maintained from all other core holes (outside diameter to outside diameter)
278 and maintenance hole section breaks. The concrete must be in good condition between
279 connections (see SCS 00490 and SDFDM Chapter 4.6).
- 280 G. Common lateral connection types by main size are shown in Table 1. Core-drilled lateral taps
281 may not exceed one-half the main’s diameter except for an 8-inch lateral core-drilled
282 connection to a 15-inch main (see SCS 00445 and 00490 and the SDFDM). ~~Sewer lateral~~
283 connections must be connected to the sewer main and installed in accordance with the
284 manufacturer’s recommendations. Transition couplings between dissimilar pipe materials must
285 be made using approved commercial adapters. ~~(E.g., Inserta Tee® connections or an approved~~
286 ~~equivalent).~~ Contact PBOT ROW UCI for preinstallation approvals.)~~].~~ Connections must be
287 watertight and not protrude past the inside wall surface or damage the existing sewer main (see
288 SCS 00445 and 00490).
- 289 H. ~~A c~~Connections to a high-density polyethylene (HDPE) main where the lateral diameter is more
290 than half the diameter of the main will require either molded butt fusion HDPE fittings or
291 molded saddle fusion HDPE fittings. In situations where laterals exceed the sizes available in
292 molded fittings, fabricated HDPE fittings will be allowed only with approval (see SCS 00412 and
293 00445).
- 294 I. When relocating an existing connection, the existing lateral must be abandoned. A separate UC
295 permit is required to abandon the existing lateral.
- 296 J. When abandoning laterals, a watertight cap must be installed on the face of the remaining
297 public lateral and in the face of the remaining abandoned privately maintained lateral. For
298 lateral diameters larger than 6 inches, follow SCS 00490.



299 K. ~~Abandon~~ ~~p~~ Nonconforming private sewer lines in the ~~public ROW~~ ~~ROW~~ and private sewer
 300 laterals must be abandoned per SCS 00490. Permanent watertight plugs must be installed at the
 301 upstream and downstream ends of the nonconforming private sewer line ~~in the City's~~
 302 ~~maintenance area defined in PCC Chapter 17.32.~~
 303

304 **Table 1. Common Lateral Connection Types by Main Size**

| | | Public <u>Sewer</u> 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 |

305 Notes:
 306 NA means not applicable. MH means maintenance hole.
 307 Installation of a MH is required for any connection where the lateral diameter is equal to the public sewer main diameter
 308 or as directed by BES.
 309 MHs may be used for any connection type listed in Table 1 as reviewed and approved by BES.

310 **13. ESD-MO ~~Connection~~ Installed Connections**

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

313 A. The sewer contractor may request that ESD-MO install tee/wye stubs or fittings for the
 314 connection at the sewer contractor's expense. Requests for ESD-MO installations will be
 315 prioritized based on staff availability and may be denied.

316 B. The sewer contractor is responsible for providing and adequately shoring the excavation, ~~and~~
 317 furnishing all materials required by ESD-MO to install the tee/wye stub or fitting, and ensuring
 318 that the site is prepared before ESD-MO arrives ~~will not wait for the site to be prepared.~~
 319



320 14. Coordination with Other City Bureaus

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

325 15. Violations and Enforcement

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

329 **A. Violations.** The person against whom BES takes enforcement action is ultimately required to
330 resolve the violations at issue. Such violations include, but are not limited to, the following:

- 331 1. Failure to obtain a UR or UC permit.
- 332 2. Failure to ~~comply~~ ensure that the work comports with the description of work on the issued
333 UR or UC permit.
- 334 3. Failure to comply with the conditions of a UR or UC permit.
- 335 4. Failure to immediately notify ESD-MO of emergency work in the ROW.
- 336 5. Failure to apply for a UR or UC permit for emergency work in the ROW within three days.

337 **B. Violation Severity.** Violations are classified based on the degree of deviation from BES's
338 regulations or the degree to which it jeopardizes human health, safety, or welfare or the
339 environment as described in ENB-4.15.

340 **C. Enforcement Tools.** BES enforcement tools are defined in ~~BES~~ Administrative Rule ENB-4.15.
341 Failure to take required corrective actions may result in escalating enforcement and increased
342 penalty assessments.

343 **D. Penalties and Cost Recovery.** BES may recover all City costs related to the abatement of a
344 violation and all outstanding penalties from the persons who committed the violation. Penalties
345 will be assessed, and costs recovered as described in ~~BES~~ Administrative Rule ENB-4.15.

346 16. Administrative Review and Appeal

347 A person may request reconsideration of a BES decision through administrative review as described
348 in this section. Administrative review and appeal of an enforcement action is also governed by ~~BES~~
349 Administrative Rule ENB-4.15. After the requestor has exhausted all BES administrative reviews, the
350 requestor may file for an appeal of a decision with the Code Hearings Officer (CHO) per PCC Title 22.
351 A person may only appeal a decision that is subject to administrative review by BES.
352



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

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

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

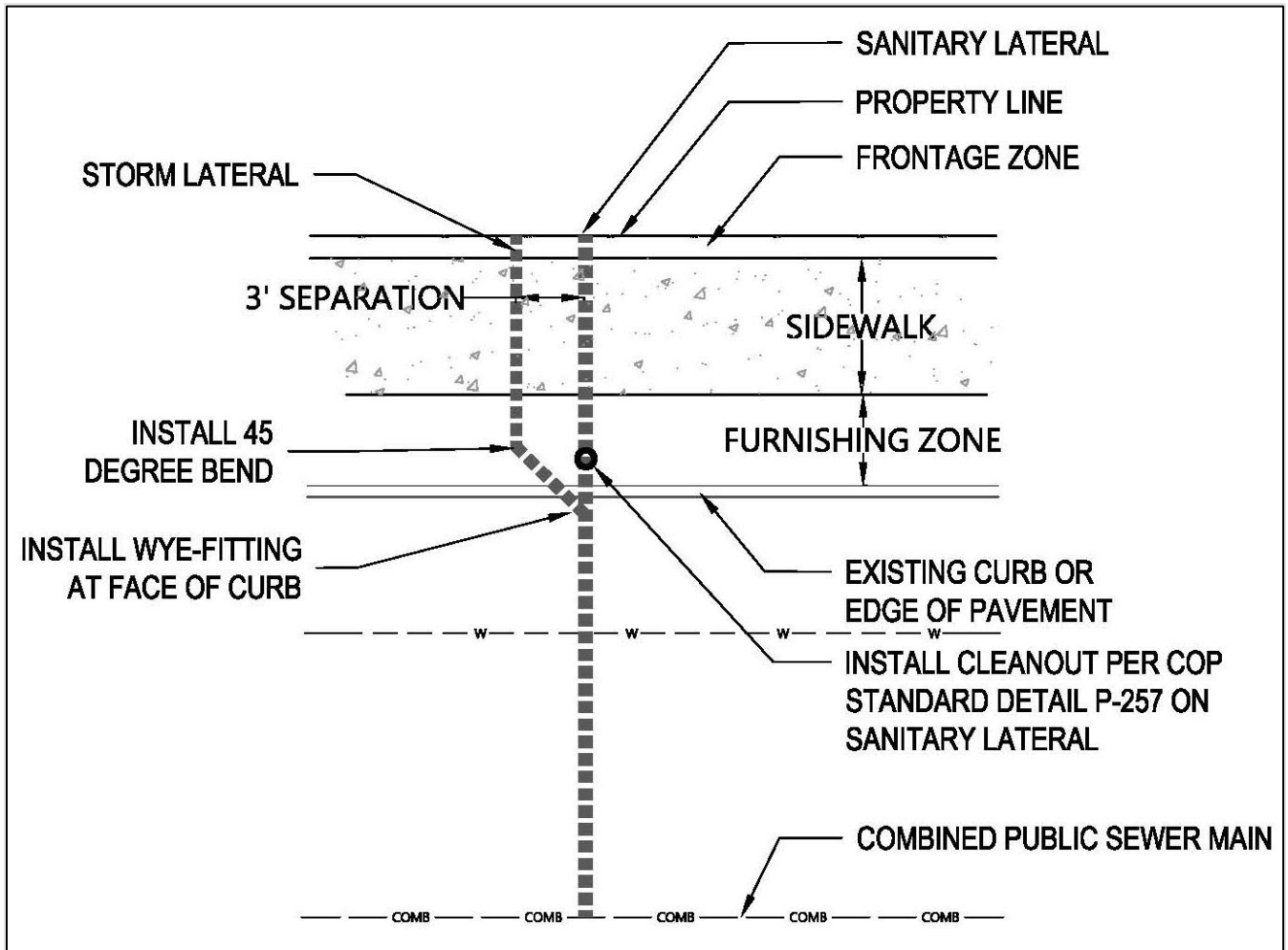
373 Although the technical BES decisions specified in Section 16.B.1-6 of these rules are not subject
374 to administrative review, BES may reconsider and modify a BES staff decision under Section
375 16.B.1-3 based on additional information regarding site-specific facts. BES’s final decision on
376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

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

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



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



386
387

Not to scale

