

Government of Newfoundland and Labrador

Transportation and Infrastructure Municipal Infrastructure

POLICY FOR SERVICING TO WITHIN 1.5 METERS OF A HOUSE

Revision 2
June 2021

Revision	Changes	Effective Date
0	New Policy	unknown
1	Updates to New Department, clarifying language	August 2020
2	Updates to New Department, clarifying language	June 2021

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1 POLICY STATEMENT

The policy of the Department is to terminate house service laterals at the property line or edge of the road right-of-way with no cost recovery.

In areas where soil conditions such as an abundance of rock or bog make it expensive, or impractical, for the homeowners to install their own service laterals from the edge of road right of way, the Municipality or Local Service District may elect, with the prior approval of the Director of Municipal Infrastructure, to have house service laterals installed to within 1.5 metres of the house as part of the construction contract, subject to the conditions of this policy.

2 PURPOSE

The objective of this policy is to create clear, consistent guidelines that allows Municipalities and Local Service Districts to proceed with work in affected areas, without undue financial burden on the home owners.

3 DEFINITIONS

1. "Business facilities" means building for the primary purpose of carrying out business actives.
2. "Homeowner" means owner of only a residential building requiring servicing
3. "The Department" means the Department of Transportation and Infrastructure, specifically Municipal Infrastructure (MI) Division.
4. "The Director" means the Director of Municipal Infrastructure
5. "Ultimate Recipient" (UR) means an entity that is eligible to receive municipal infrastructure funding (i.e. Municipality, Local Service District, Inuit Community Government).

4 APPLICATION

1. This policy applies to all Municipal Ultimate Recipients receiving funding from Municipal Infrastructure (MI) for infrastructure projects.
2. This policy applies to residential buildings only. To be eligible houses must be a permanently occupied residence.

3. Summer home, Cabins, Cottages, etc., will only receive laterals to the edge of the road right-of-way. All costs related to the installation of services lines will be the responsibility of the property owner.
4. Business facilities are not eligible for subsidized servicing costs under this policy. All costs related to the installation of services lines will be the responsibility of the property owner.
5. This policy will be universally applied to all future projects. No exceptions will be made because of any precedents established on past projects.

5 ACCOUNTABILITY

1. The Director of Municipal Infrastructure will ensure compliance with this policy.
2. All applications will be assessed by the Director and/or applicable Divisional staff to ensure requirements are met.

6 RESPONSIBILITY OF THE UR

1. Obtain the Director of Municipal Infrastructure's approval on each project to provide service laterals to within 1.5 m of a residential property.
2. Agree to offset the project costs by the full amount of that which is to be collected under these guidelines (i.e. \$Cost Recovery Fee x number of houses).
3. Collect the appropriate fee from the homeowners in relation to the provision of services under these guidelines.
4. It will be the responsibility of the UR's consultant to indicate to the UR and the Department the number of services provided under this policy prior to project tendering.

7 RESPONSIBILITY OF THE HOME OWNER

1. The Homeowner agrees (in writing) to pay the cost recovery fee to help offset the cost of the lateral.
2. The Homeowner will pay, to the UR, the Cost Recovery Fee.
3. If the homeowner refuses to pay the cost recovery fee the service lateral/s will be installed to the edge of the right-of-way, and the homeowner will be responsible to install the remainder of the service lateral at his/her own expense.

8 RESPONSIBILITY OF MI

1. Provision of approval of the request as deemed appropriate.
2. The Municipal Support Information System (MSIS) will be updated by MI with a credit Change Order to the project in the amount of the Cost Recovery Fee multiplied by the number of services to be installed.

9 COST RECOVERY FEE

1. The cost recovery fee is set at \$750 plus HST.
2. The Department reserves the right to change the minimum value of the cost recovery fee. If a fee is established for one particular phase of a project that does not necessarily mean that the fee will not increase for subsequent phases. The approval letter will indicate any change in this fee.
3. The cost recovery fee applies for water and/or sewer laterals. If two service laterals are installed under one contract the cost recovery fee applies. If only one service lateral is installed the fee is still the same. If the second service lateral is installed under a separate contract at a later date then a second fee must be paid by the homeowner.
4. If the UR has requested that services in a particular project be installed under this policy to 1.5 metres of a house, and this is subsequently agreed to by the Director of Municipal Infrastructure, then all homeowners impacted by the project will be required to pay the cost recovery fee, regardless of their distance from the main.
5. The maximum service lateral trench length which shall be covered by this cost recovery policy is 40 metres from the centre of the main or the centre of the road right-of-way, whichever is applicable or favours the homeowner. Beyond this point all costs will be the responsibility of the homeowner. The additional work may be included in the contract provided the homeowner pays for such work in advance of construction. Measurements shall be made along the trench length.

10 SERVICE CONNECTION DETAILS

1. The location of the service lateral shall be determined by the consultant in the field, and measurement for the trench length and 1.5 metre limit shall be based on the closest point of reasonable servicing. This could be the rear of the house if the location of the existing septic system dictates.

2. In the case of shared service laterals the measurement will be made as if each lateral was installed separately from the main to the house.

11 NEW HOME CONSTRUCTION

1. For new building construction, within the limits of the project, service laterals from the main to the house are to be the responsibility of the homeowner unless a permit has been approved by the UR and the foundation of the new building is installed before the water and/or sewer mains are installed in front of the building lot.