

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS


RESOLUTION OF THE CITY COUNCIL


No. 207

EFFECTIVE ~~Approved~~ March 28, 2011

RESOLVED, That the Director of Public Works is requested to immediately cause the repair of the settlement in the public right-of-way in front of the property located at 130 Wadsworth Street.


IN CITY COUNCIL
MAR 17 2011
READ AND PASSED



PRES.


CLERK

Effective without the
Mayor's Signature


Anna M. Stetson
City Clerk



February 25, 2011

CITY OF PROVIDENCE

Angel Taveras, Mayor

Carole J. Bell
98 Benedict Street
Providence, RI 02907

(Wm. Bonland)

Dear Property Owner:

Please be advised that the Department of Public Works - Sewer Division inspected the settlement in the public right-of-way in front of your property at 130 Wadsworth Street, Providence, RI and it determined that the settlement is caused by a break in your lateral.

It is the responsibility of the property owner to maintain the lateral under the City Ordinance. This maintenance obligation extends from the building, the entire length of the lateral, to its main sewer line in the middle of the roadway. This includes that portion under the roadway.

Please contact the Engineering Office at Public Works (x524 or x525) within seventy-two (72) hours of receipt of this letter to make arrangements for your contractor to repair your lateral.

Should you fail to contact this office and make the necessary repairs in a timely manner, the Dept. of Public Works, in the interest of public safety, will be forced to make emergency repairs to stabilize the public right-of-way. The repair work could include pouring concrete into the void. This may have detrimental effects to the apparent defective lateral by plugging or restricting the lateral and/or causing the repair costs to the lateral to significantly increase; therefore your prompt attention to this matter is important.

Very truly yours

Paul J. Thomas
Director

PJT:cs

cc: Engineering Division
Sewer Division

✓ Regular Mail & CERTIFIED MAIL/RETURN RECEIPT REQUESTED

DEPARTMENT OF PUBLIC WORKS

700 Allens Avenue Providence, Rhode Island 02905

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www.providenceri.com

MEMORANDUM

To: William Bombard, City Engineer
By: Adrienne Southgate, City Solicitor
Date: July 21, 2010
Re: Obligation to Maintain Sewer Connection Lines

You requested a memorandum summarizing the legal responsibilities of property owners for sewers that extend from a building and attach to the main sewer line.

The Providence Code of Ordinances, in Section 25-72, defines public sewers as “the main line of pipe which is owned, controlled and maintained by the city.” Public sewers “shall not be understood to include the building sewers as defined in this section.” *Id.* Building sewers are defined as “a pipe connecting a public sewer with a building.” *Id.* Private sewers are defined as “any sewer located on private or public property that collects and conveys water from one or more building sewers, discharges into a public sewer, and is not under the care and control of the city.” *Id.*

Building and private sewers are the property and responsibility of private property owners. Private sewers, as defined, are “not under the care and control of the city.” *Id.* Thus, any non-city owner retains the duty of care for such sewer lines. Similarly, building sewers are excluded from the definitional boundaries of public sewers which are “owned, controlled and maintained by the city.” *Id.*

Elsewhere in the Code, this distinction is reinforced. In Section 25-74, the city is authorized “to cause every owner of land adjoining such street, or easement, his agent, or tenant to provide ... a sufficient building sewer or drain from his house, yard or lot, to and into such public sewer or drain.” *Id.* With the assignment of such a burden of installation comes the burden to maintain and repair the sewer connection lines.