

Easement Access



What you need to know about easement access rights, procedures, responsibilities, and financial impacts

What is an Easement?

An easement is a defined area of private property that provides an entity other than the property owner the legal right of use, access, and travel through to any of the entity's facilities, equipment, or assets that are located on private property.

There are different types of easements, including the right-of-way, sewer, and public utility easements utilized by the Sacramento Area Sewer District (SASD).

Why SASD Needs Easement Access

To better serve our customers, we occasionally need to access public utility easements on private property so that we can perform routine maintenance and repair work required to keep the sewer system operating properly. During emergency conditions, such as an overflow or backup, it is critical that we have access to the easement area and the ability to work within it.



The ability to service and maintain SASD's equipment and pipelines ensures that the sewer system functions properly for you and the larger community. Sewer pipelines are located in many places. In some areas, entire neighborhoods were designed with sewer systems placed in backyards rather than in the street. Fortunately, most new sewer systems are no longer designed that way. Still, it is necessary for SASD to access private property to get to sewer pipelines that may be located in back, front, or side yards.

Customer Pledge: Access Procedures

SASD is committed to customer service, and we appreciate your cooperation with providing access to an easement on your property. When SASD cannot easily gain access to an easement on private property, such as with back and side yard easements or locked gates, we will try to notify you in advance before gaining access. Notification usually occurs through a door hanger left on your front door but may also occur in person.

Depending on the situation, SASD has specific procedures in place for gaining easement access, which are detailed in this brochure. These procedures ensure that SASD will make reasonable attempts to cooperatively gain access to easements by following either non-emergency or emergency access procedures, as dictated by the particular circumstances and nature of work required.

However, please know that SASD has the legal right to access easements for its work. If that access is impeded, SASD will contact local law enforcement or other jurisdictional agencies, as necessary, to assist in gaining easement access. It is also important to know that failure to provide access can result in financial liability.

SASD Authority to Access

SASD's authority to access private property easements as a public utility is provided by:

- SASD's Sewer Ordinance, Section 2.11
- Legal documents such as recorded easements, maps, or property deeds designating specific easements

Things to Know About Easements

Any use of an easement by a property owner/occupant:

- Cannot limit the ability of SASD to access and utilize the easement for its intended purpose
- Must adequately allow, without interference, the construction, operation, maintenance, re-construction, inspection, or repair of SASD facilities
- Must allow for a minimum clearance of 36 inches in width, 6 feet and 8 inches in height, and a turning radius of 80 inches

Financial Impact to Owner May Apply

When a customer is unresponsive to our attempts to gain access, refuses to grant access, or delays SASD's ability to access or work within an easement, the property owner/occupant may be held fully financially responsible for:

- Damage from sewage back-ups or overflows at all affected properties
- All associated costs incurred by SASD

Least Destructive Access

When conditions and our access procedures warrant, SASD may need to obtain access without property owner/occupant assistance. When this happens, SASD will attempt to utilize the least destructive means to obtain access.

Least destructive access includes our ability to disassemble gates or latches, cut locks, or remove fence boards to gain access.

When conditions make it necessary for us to take these actions to gain access, rest assured that SASD will replace locks and fence boards or re-assemble gates. Our goal is to complete the necessary work and restore the site as quickly as possible. However, when necessary, SASD will also remove obstructions from the easement area, including landscaping, debris, or structures that should not be located in the easement. In these circumstances, SASD is not responsible for returning obstructions to the easement.



Emergency Access Summary

An emergency is defined as a situation where an SASD facility or asset causes—or has the **immediate** potential to cause—any of the following:

- Sanitary sewer overflow
- Sewage back-up into a structure
- Public health/safety problem
- Damage to public or private property
- Negative environmental impact



Emergency Access Procedure Overview

If...

Then, maintenance personnel will...

Owner approves access

Cooperate with owner as much as possible but will obtain the necessary easement access to the work area at his/her discretion

Owner denies access

1. Record the time of denied access
2. Present this Easement Access brochure emphasizing Financial Impact language
3. Notify SASD Supervisor
4. Contact local law enforcement to assist in gaining access

Owner is not home

Obtain access using the least destructive means, at his/her discretion, by:

- Disassembling gate hinges
- Disassembling gate lock catch
- Cutting the lock
- Removing a portion of fence
- Utilizing an animal control agency, as necessary, if a dog or animal is present

There are other problems
(such as inadequate easement clearance)

Obtain the necessary access corridor to work areas at his/her discretion

- This can include moving any obstructions from the easement area that prevent necessary access, including moving landscaping and debris and disassembling structures that should not be located within the easement



Non-Emergency Access Summary

A non-emergency is defined as a situation where an SASD facility or asset has the **future** potential to cause any of the following:

- Sanitary sewer overflow
- Sewage back-up into a structure
- Public health/safety problem
- Damage to public or private property
- Negative environmental impact



Non-Emergency Access Procedure Overview

If...

Then, maintenance personnel will...

Owner approves access

Cooperate with owner as much as possible but will obtain the necessary easement access to the work area at his/her discretion

Owner denies access

1. Record the time of denied access
2. Present this Easement Access brochure emphasizing Financial Impact language
3. Notify SASD Supervisor
4. Supervisor will then determine the potential for a public health/safety problem, damage to public or private property, or a negative environmental impact in the near future
 - If such conditions are present, after seven business days have passed, Supervisor will provide notification to the owner of the intent to declare a work emergency, and SASD will proceed accordingly to gain access

Owner is not home

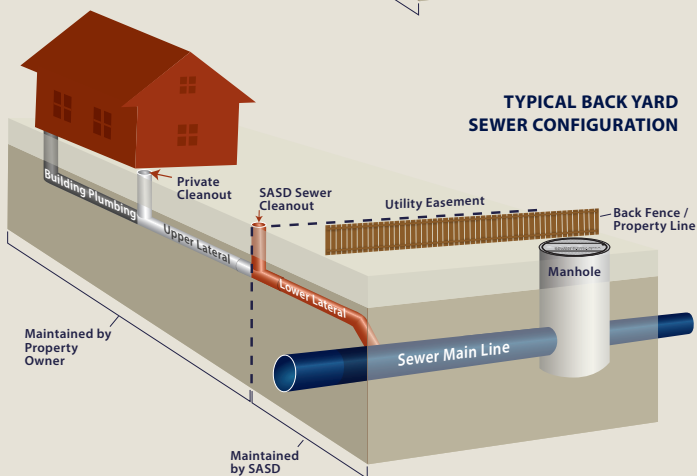
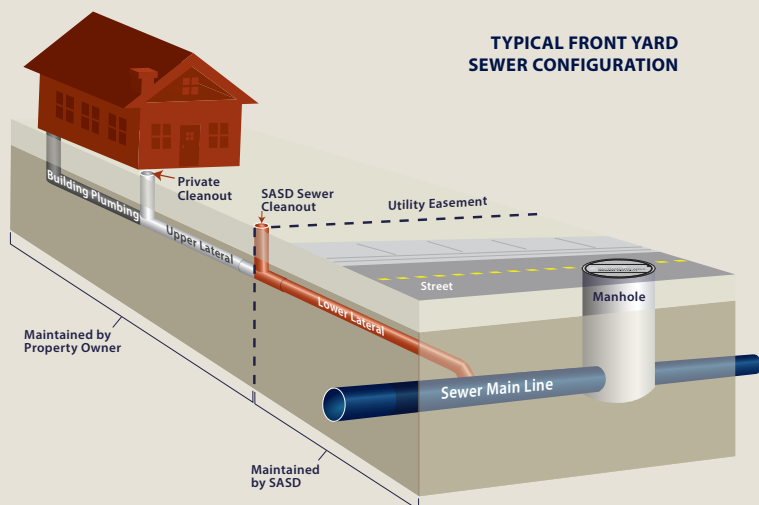
1. Check to see if access can be gained and, if so, leave SASD's "Notice of Sewer Work Performed" door hanger
2. When access cannot be readily gained:
 - Over seven business days, make two attempts to gain easement access with assistance from the property owner/customer, leaving SASD's "Notice of Need to Access Private Property for Sewer Work" door hanger with contact instructions and details
 - After seven business days have passed, gain access using the least destructive means, at his/her discretion, by:
 - Disassembling gate hinges
 - Disassembling gate lock catch
 - Cutting the lock
 - Removing a portion of fence
 - Utilizing an animal control agency, as necessary, if a dog or animal is present

There are other problems (such as inadequate easement clearance)

Obtain the necessary access corridor to work areas at his/her discretion, whenever possible

- This can include moving any obstructions from the easement area that prevent necessary access, including moving landscaping and debris and disassembling structures that should not be located within the easement

Sewer Maintenance Diagram



Sewer Problems?

Call us at (916) 875-6730!

We'll help you figure out the next step.
Our crews respond 24 hours per day,
7 days per week.

Learn more at sacsewer.com.