



SYNOPSIS

Committee: Health, Environment, and Technology

City Council Resolution: 22-0103R

Investigational Hearing - Sewage Backup - Expedited Reimbursement and Direct Assistance Program Feasibility Study

Sponsor: Councilmember Burnett, et al

Introduced: April 25, 2022

Purpose:

For the purpose of inviting the City Solicitor and representatives from the Department of Public Works, the Department of Finance, Baltimore City 311 Services, and the Mayor's Office of Emergency Management to appear before the City Council to discuss findings from the Department of Public Works study required by Ordinance 21-044.

Effective: Upon enactment

AGENCY REPORTS

Department of Public Works	
311 Services	
Mayor's Office of Emergency Management	
Finance	
City Solicitor	Favorable

ANALYSIS

The resolution invites representatives from the relevant agencies to appear before the City Council to discuss findings from the Department of Public Works' (DPW) study on the feasibility of implementing an expedited reimbursement and direct assistance program for all sewage backups into homes, not limited to wet-weather, capacity-related causes. The study was required by Ordinance 21-044, enacted on October 4, 2021.

Sewage backups have two primary causes: (1) Pipe blockages or failures; and (2) Stormwater and groundwater entering the sewer system during wet weather. Sewage backups into homes present serious health risks because of bacteria, viruses, and other pollutants that can contaminate property and cause disease. Sewage backing up into a building can also contact electrical wires potentially leading to electrocution.

Cleaning up a sewage backup in a building is expensive and hazardous. Currently, property owners in Baltimore City who experience sewage backups caused by capacity-related wet weather events can recover up to \$5,000 for cleanup and disinfection costs through the Building Backup Expedited Reimbursement Program (ERP). Alternatively, DPW offers professional cleaning, disinfection, and disposal services from a third-party vendor at no cost to Baltimore City residents through the Sewage Onsite Support Cleanup Program (SOS).

The ERP and SOS programs do not currently cover sewage backups that are not caused by the City's sewage collection system or that occur during dry weather. Additionally, the programs only cover cleanup and will not repair or replace damaged property. Residents can submit general liability claims to the Law Department for property damage and unreimbursed cleanup costs, but they must show that the backup was caused by the City.

Ordinance 21-044 required DPW, with the assistance of other City agencies, to study the feasibility of expanding the ERP and SOS programs to cover any sewage backup, not limited to wet-weather, capacity-related causes. The Ordinance further specified that the study include the following:

- Evaluations of the cost per backup of each expanded program;
- Analyses of the obstacles that could impede the expansion of the programs and DPW's efforts to overcome those obstacles;
- A cost analysis, disaggregated by weather conditions and backup causes;
- An evaluation of the funds that the City has expended over the past 10 years in litigation costs related to sewage backups, including settlement amounts, damages awarded, and attorney time.

The completed feasibility study – “A Report on Sewage Backup Expedited Reimbursement and Direct Assistance Program” – is available at:

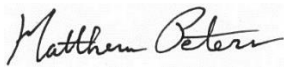
[https://publicworks.baltimorecity.gov/sites/default/files/Ordinance%2021-044%20\(CCB21-0075\)%20-%20Basement%20backups%20feasibility%20study%20report%2012.03.2021.pdf](https://publicworks.baltimorecity.gov/sites/default/files/Ordinance%2021-044%20(CCB21-0075)%20-%20Basement%20backups%20feasibility%20study%20report%2012.03.2021.pdf)

ADDITIONAL INFORMATION

Fiscal Note: None

Information Source(s):

- Department of Public Works, A Report on Sewage Backup Expedited Reimbursement and Direct Assistance Program,
- Ordinance 21-044
- Resolution 22-0103R



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Analysis Date: October 7, 2022

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