



SYNOPSIS

Committee: Health, Environment, and Technology

City Council Bill: 21-0075

Study and Report - Sewage Backup Expedited Reimbursement and Direct Assistance Program

Sponsor: Councilmember Burnett, et al

Introduced: May 3, 2021

Purpose:

For the purpose of requiring that the Baltimore City Department of Public Works submit a report to the Mayor and City Council studying the feasibility of implementing an expedited reimbursement and direct assistance program for any sewage backup, not limited to wet-weather, capacity-related causes; requiring certain agency assistance; and providing for a special effective date.

Effective: Upon enactment

AGENCY REPORTS

Department of Public Works	
Department of Health	
Department of Finance	
City Solicitor	
Department of Housing and Community Development	
Office of Information and Technology	Comments

ANALYSIS

The bill would require the Department of Public Works (DPW), no later than 60 days after enactment, to submit a report to the Mayor and City Council on the feasibility of expanding the Expedited Reimbursement Program (ERP) and the Sewage Onsite Support Cleanup Program (SOS) to include assistance for sewage backups that are the result of dry weather events. Currently, those programs are limited to sewage backups that are the result of capacity-related wet weather events.

The required report must include evaluations of the cost per backup of each expanded program, as well as analyses of the obstacles that could impede the expansion of the programs and DPW's efforts to overcome those obstacles. It must also include a cost analysis, disaggregated by weather conditions and backup causes. Additionally, the report must include 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 bill also directs the Law Department, Office of Information and Technology, Health Department, and Mayor's Office of Emergency Management to assist DPW in preparing the report.

Background

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.

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 ERP. Alternatively, DPW now offers professional cleaning, disinfection, and disposal services from a third-party vendor at no cost to Baltimore City residents through the recently introduced SOS Program.

The ERP and SOS Program do not 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.

ADDITIONAL INFORMATION

Fiscal Note: None

Information Source(s):

- DPW, Expedited Reimbursement Program for Sewage Backups: <https://publicworks.baltimorecity.gov/sewer-consent-decree/building-backups;>
- DPW, Sewage Onsite Support (SOS) Cleanup Program Brochure: https://publicworks.baltimorecity.gov/sites/default/files/MCD_SOS_Brochure.pdf;
- Law Department, General Liability Claims: <https://law.baltimorecity.gov/claims;>
- Reporting Agencies
- Bill 21-0075

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