



smartsewer

EASEMENT ACCESS FAQ



Did you know... The City of Kansas City, Missouri, has more than 2,800 miles of sanitary sewer, 66,000 manholes and six wastewater treatment plants? This infrastructure can be found in the public right of way as well as within easements on private property.

KC Water's Smart Sewer program includes a 100-year sewer main rehabilitation program that consists of replacing 28 miles of sewer lines each year to improve system reliability for our residents. To maintain these sewer lines, we occasionally need to access public utility easements on private property. During emergency conditions, access to these areas and the ability to work within them are essential.

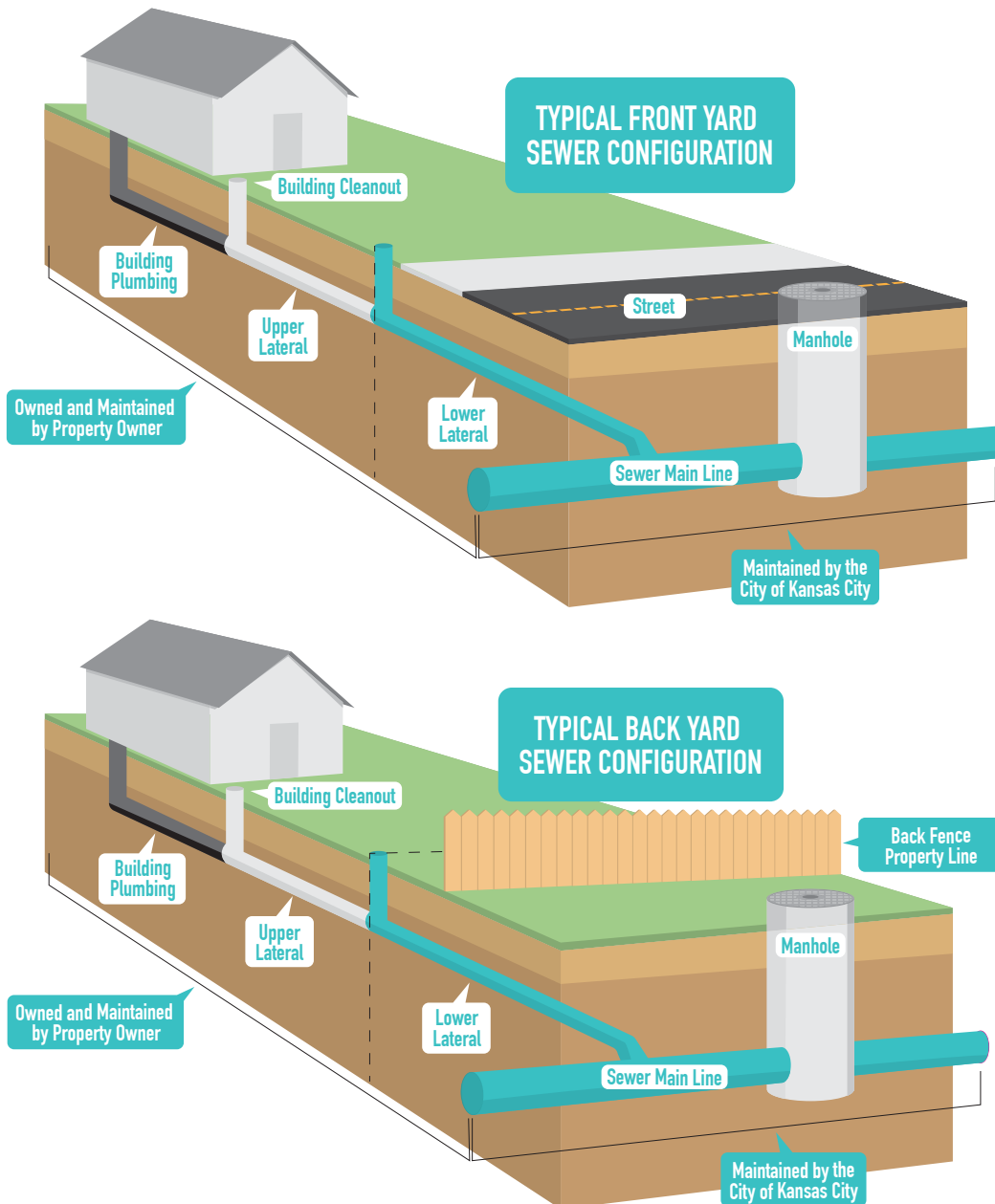
WHAT IS AN EASEMENT?

An easement is an area of private property that contains City-maintained infrastructure, such as water mains, sewer mains or stormwater mains. An easement is legally designated for specific uses, access, and travel-through by an entity other than the property owner. There are several types of easements including the sewer, water and public utility easements utilized by KC Water. Easements give KC Water legal right, use, and access to any of its facilities, equipment, and assets that are located on private property. Facilities located within existing right-of-ways do not require easements.

WHY WE NEED ACCESS TO EASEMENTS

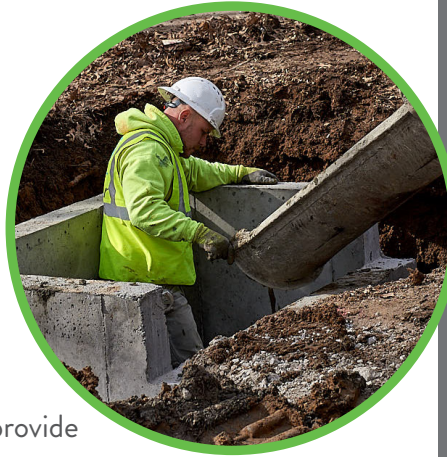
Kansas City's wastewater collection system is complex. Wastewater must be collected and routed many miles through a vast system of collection pipelines to reach one of six wastewater treatment plants. These sewer pipelines are located in many places. In some older areas of the City, entire neighborhoods were designed with sewer systems in backyards rather than in the street.

Fortunately, most new neighborhoods are no longer designed that way. But given the variety of locations, it is important for KC Water's crews to have the ability to access sewer pipelines that may be located in the back, front, or side yards of your property. Having easy access to make repairs and perform maintenance allows us to improve the sewer system for your neighborhood – and the entire community.



WHO IS ALLOWED TO ACCESS MY EASEMENT?

Agents, employees or independent contractors representing KC Water's Smart Sewer program have the legal right to access back, front, or side yards. Failure to provide access could result in financial liability to the impending access.



In fact, KC Water's authority to access private property easements as a public utility is provided by legal documents such as recorded easements, maps, and/or property deeds that designate specific easements. Any use of the property or land with an existing easement by the property's owner or occupant:

- Cannot limit the ability of KC Water to access and utilize the easement for its intended purpose
- Must adequately allow, without interference, the construction, operation, maintenance, reconstruction, inspection or repair of KC Water facilities
- Must allow access to the entire easement and such additional areas reasonably necessary to complete the work

HOW IS EASEMENT ACCESS REQUESTED?

Our crews will:

1. Record the time of denied access
2. Present this Easement Access brochure, emphasizing Financial Impact language
3. Contact law enforcement if necessary

LEAST DESTRUCTIVE ACCESS IS OUR PRIORITY

We understand that providing access to an easement can sometimes be inconvenient for you. Our goal is to complete the necessary work and restore the site quickly. Whenever possible, KC Water crews will notify you prior to accessing your easement, and will make reasonable attempts to work with you to do so depending on the particular circumstances and nature of the work required.

If we are unable to access to your easement, our crews will use the least destructive means to complete our infrastructure work, including:

- Disassembling gate hinges
- Disassembling gate lock catch
- Cutting the lock
- Removing a portion of fence
- Utilizing an animal control agency if dog or other animal is present
- Obtain the access corridor to facilitate the repair/rehabilitation within the work area
- Move 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
- KC Water **will** replace locks, fence boards or reassemble gates
- KC Water **will not** move landscaping or debris, or reassemble structures that should not be located within the easement

GAINING ACCESS IN AN EMERGENCY

In an emergency or under special circumstances, our crews will obtain access without a property owner's knowledge or assistance. An emergency is defined as a situation where a KC Water facility or asset causes or has the immediate potential to cause any of the following:

- Sanitary sewer overflows
- Sewage backup into a structure
- Public health/safety problems
- Damage to public or private property
- Negative environmental impacts maintained by KC Water

IS THERE A FINE FOR NOT ALLOWING ACCESS?

If you refuse or delay our crew's ability to access or work within an easement, the property owner or occupant may be held financially responsible for:

- Damage from sewage backups or overflows at all affected properties occurring during the period KC Water is denied access
- All associated costs incurred by KC Water as a result of denial of access to the easement

ABOUT KANSAS CITY'S CONSENT DECREE

In 2010, the City entered into a Consent Decree with the United States Environmental Protection Agency to reduce the volume and frequency of overflows from the City's sewer system. The Smart Sewer program is a 25-year, \$4.5 billion plan to address this challenge.

SEWER PROBLEMS?

Call: 816-513-1313 or 311

Visit us online: kcmo.gov/smartsewer

