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City of Van Buren Municipal Utilities

Shared Private Sewer Lines

Prior to the construction of the City of Van Buren Public Sewer System (and public sewer systems across the nation), it was common for several buildings to be connected to a common sewer line that discharged directly into a nearby drainage ditch, then when the public lines were constructed around 1962 or so; the private line discharge locations were removed from the ditches and connected to the public sewer lines. Several buildings were often constructed and connected to a common sewer line by the same builder. Up to the late 1970's and early 1980's there were some areas where a builder constructing several houses would connect them to a Shared Private Sewer Line to avoid the expense of extending the City Public Sewer Main Line.

Shared Private Sewer Lines between neighbors can lead to confusion and disputes over easements, maintenance, repairs, or damages. These situations often involve legal, financial, and practical considerations that require careful navigation to avoid conflict. Property owners are jointly responsible for the maintenance and repair of the Shared Private Sewer Line(s). The City of Van Buren Municipal Utilities encourages property owners in these situations to cooperate and work together to repair the aging and failing shared private sewer lines, sharing the cost of repairs.

FAILURE TO REPAIR A PRIVATE SEWER LINE CAUSING A SANITARY SEWER OVERFLOW CAN RESULT IN THE WATER SERVICE TO BE DISCONNECTED TO ALL STRUCTURES CONNECTED TO THE SHARED PRIVATE SEWER LINE.

Common concerns and questions regarding shared private sewer service lines:

Q: How do I know if my building/residence is connected to Shared Public Sewer Line?

A: VBMU can investigate and help determine if you are connected to a shared line and if there are other options like connecting to a Public Sewer Main Line.

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Q: What is the difference between a Public Sewer Main Line, a Private Customer Sewer Service Line, and a Shared Private Sewer Line?

A: Public Sewer System Main Line: Located within a dedicated Public Sewer Line or Public Utility Easement or in the City Street or Alley Public Right of Way owned, operated, and maintained by the City.

Private Customer Sewer Service Line or Building Sewer Service Line:
As defined by the Arkansas Plumbing Code – That part of the drainage system that extends from the end of the building drain and conveys the discharge to a public sewer, private sewer, individual sewage disposal system or other point of disposal.

Shared Private Sewer Line: Located on private properties and having two (2) or more Private Customer Sewer Service Line connections.

Q: Sewer is overflowing in the neighbor's yard, and my sewer is not backing up so why am I responsible for any portion of the repairs or associated costs?

A: Although the shared sewer line may be broken and damaged in a neighbor's property boundary; the sewer being discharged is normally being generated from all buildings connected to the shared line depending on the location of the damage or blockage. If there is not a written agreement regarding the Shared Private Sewer Line and responsibilities, each property owner is equally responsible.

Q: Sewer is overflowing in my yard, but the damage or blockage is located within a neighbor's property boundary, and the property owner will not permit myself or a contracted plumber to access their property to make repairs.

A: Although dedicated access easements may not have been recorded or written agreements cannot be located; there was a verbal or "handshake" access agreement made when these houses were constructed and connected to the shared line which could result in the existence of a "prescriptive" or "implied" easement. Normally, property owners are able to coordinate and work together in these situations to avoid water service disconnection, unfortunately, it sometimes requires seeking legal advice in these situations.

Q: Will the City take over a Shared Private Sewer Line?

A: In order for these private lines to be considered to be taken over by the City of Van Buren Municipal Utilities for future operation, maintenance, and improvement; owners of all properties connected to the Shared Private Sewer Line would be required to dedicate a permanent public sewer line easement to the City (minimum 15 ft width) and remove any buildings, fences, trees, vegetation, and other obstructions that are located within the easement area.

Q: Do current codes permit the installation of Shared Private Sewer Lines?

A: Current Arkansas Plumbing Code requires that *A building having plumbing fixtures installed and intended for human habitation, occupancy or use...shall have a separate connection with the sewer from other privately owned properties...*

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