



YPSILANTI COMMUNITY UTILITIES AUTHORITY

2777 STATE ROAD  
YPSILANTI, MICHIGAN 48198-9112  
TELEPHONE: 734-484-4600  
WEBSITE: [www.ycua.org](http://www.ycua.org)

**YPSILANTI COMMUNITY UTILITIES AUTHORITY (YCUA)**

**POLICY ON SEWER BACKUPS**

**A. INTRODUCTION**

1. Public Act 222 of 2001, the Sewage Event Claims Act (“the Act”), provides definitions, standards and procedures under which a property owner may file a claim for and recover money damages from YCUA in the event of certain “sewer backups” a/k/a “a basement backups.”

2. The Act provides that YCUA is responsible for certain damage from a sewer backup if the sewer backup was caused by a “defect” in YCUA’s “sewage disposal system” that YCUA knew about and failed to repair.

3. The Act defines “sewage disposal system” and “defect,” and requires YCUA to provide an owner with written information on how and when to file a claim, and sets standards by which a sewer backup claim for damages is assessed.

**B. POLICY**

1. YCUA will follow and comply with the procedures and will pay damages as required by the Act on all sewer backup cases. Any YCUA rule, policy, past practice or conduct inconsistent with the Act is of no affect.

2. YCUA does not provide backup cleaning services and will not pay any cost in relation to a sewer backup, including immediate cleanup costs, except as required by the Act. The Act controls in all sewer back up cases.

3. YCUA’s implementation and application of the Act will include, but is not necessarily limited to, prompt investigation of all sewer backups, timely written notice to the owner of the owner’s rights under the Act, and prompt and timely delivery to an owner of a sewer backup claim form as provided for in the Act, a copy of which is attached to and is a part of this policy.

4. The Act provides that YCUA is responsible for sewer backup damages in limited circumstances, generally defined as—a defect in the system that YCUA knew about and failed to timely correct. Therefore, YCUA customers are encouraged to purchase and maintain homeowners’ insurance that includes coverage for sewer backup damages and YCUA staff shall take appropriate steps, on an on-going basis, to inform YCUA’s customers of the importance of purchasing and maintaining homeowner’s insurance with sewer backup coverage.

5. This policy replaces all rules and policies previously adopted by the YCUA Board or otherwise implemented by YCUA in relation to sewer backup cases and events which are revoked by this policy.

6. This policy is consistent with YCUA's Policy on Ownership, Maintenance and Repair of Sewer Service Leads, adopted July 24, 2019, which is incorporated into this policy.

**Certification**

Adopted and approved by the YCUA Board of Commissioners at its regularly scheduled monthly meeting on July 24, 2019.

DATED: July 24, 2019.

YCUA Board of Commissioners



By: *Brenda L. Stumbo*  
BRENDA L. STUMBO

Its: Chair



Dedicated to Providing Top Quality, Cost Effective, and Environmentally Safe Water and Wastewater Services to Our Customers

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### Notice of Claim

In order to make a claim for damages or physical injury arising from a sewage disposal system event, all claimants **must** provide the following information:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_  
\_\_\_\_\_

Address of Affected Property: \_\_\_\_\_  
(If different from above) \_\_\_\_\_

Please Briefly Describe the Claim: \_\_\_\_\_  
\_\_\_\_\_

Date of Discovery of Property Damages: \_\_\_\_\_

Claimant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please Return To:

Administrative Manager  
Ypsilanti Community Utilities Authority  
2777 State Road  
Ypsilanti, MI 48198-9112

An individual that has been injured or has suffered property damage as a result of a sewage disposal event **must** provide written notice of the event within 45 days after the date the damage or injury was, or in exercise of reasonable diligence should have been discovered. Failure to provide proper notice will bar your claim.

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### FOR OFFICE USE ONLY

Date received: \_\_\_\_\_  
Forwarded to: \_\_\_\_\_  
Forwarded to: \_\_\_\_\_

Date: \_\_\_\_\_  
Date: \_\_\_\_\_