

Sewer Easements

What is a sewer easement?

- Because the City's sewers are all gravity flow, they must follow the contours of the land. Some sewer mains are located in the street while some are on private property. Sewer mains that are on private property have a sewer easement. This is a legal right included in the plat for the property that allows the utility to access and maintain the public sewer line. The public sewer system is a community asset, essential to human and environmental health. Its maintenance is very important.

What types of restrictions are there for an easement?

- To maintain the sewer main the Utility Department must be able to access it with large equipment. Most easements are for a width of 20ft; 10ft on either side of the actual sewer line, however some easements are wider.
- Never build a permanent structure inside the easement area. This includes not only houses, but sheds, decks, fences or patios. Should the utility need to access that line to repair or replace it, they have the right to remove the structure without compensation to the property owner.
- Trees and shrubs should not be placed in an easement area. The sewer pipe is very attractive to plant roots because it contains a steady supply of water and nutrients. Large plants have strong root systems which are capable of breaking apart sewer joints, eventually causing the pipe to collapse. It is not uncommon for the utility to have to remove trees to repair the sewer they have damaged. The utility is not required to replace trees and shrubs removed from an easement area. If you would like to maintain the easement area, it is recommended that you use mulch, grass or another groundcover.

How do I find out if there is an easement on my property, or the property I would like to buy?

- Sewer, also called sanitary, wastewater or utility easements, are noted on deeds or plats of a property. The specifics of the easement are oftentimes only found on the original deed or the plat drawn for the neighborhood's initial development. Occasionally an easement can be added at a later date. All subsequent deeds may simply include language stating that all previous easements carry over into new ones. Deeds can be found in the clerk's office at the City Circuit Court on High St. Some properties may actually have their original deeds on record at the County Clerk's office, located across the street in the Albemarle County Circuit Court.

Remember: You should always call VA811 before you do any excavation on your property. All utility companies with underground lines in the area will come out and mark them with flags or spray paint. Damaging an underground utility can be messy, costly and very dangerous.