



Wastewater Infrastructure Easement Access:

What you need to know about easement access rights, responsibilities, and financial impacts

Kansas City has more than 2,800 miles of sanitary sewer, 66,000 manholes, and six wastewater treatment plants. This infrastructure exists both in public right-of-way and easements in order to best serve the customers of Kansas City.

KC Water has a 100-year sewer main rehabilitation program that includes replacing 28 miles of sewer lines a year to improve system reliability for customers. In order to maintain sewer lines, we occasionally need to access public utility easements on private property. During emergency conditions, access to easement areas and the ability to work within them, are absolutely essential.



What is an Easement?

An easement is a defined area of private property that is legally designated for specific uses, access, and travel-through by an entity other than the property owner. There are different types of easements including the sewer, water, and public utility easements utilized by KC Water. Easements provide KC Water the legal right, use, and access to any of its facilities, equipment, and assets that are located on private property. Facilities within existing right-of-ways do not require easements.

Why KC Water Needs Easement Access

Kansas City's wastewater collection system is very complex. Sewage must be collected and routed many miles, through a vast system of collection pipelines, to reach one of six of our wastewater treatment plants. Sewer pipelines are located in many places. In some older areas, entire neighborhoods were designed so that sewer systems were placed in backyards rather than in the street. Fortunately, most new systems are no longer designed that way. It is critical for KC Water staff to have access to private property to get to sewer pipelines that may be located in the back, front, or side yards. The ability to service and maintain KC Water's equipment and piping ensures a well-functioning sewer system for the entire community.

Things to Know About Easements

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 owner/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 that is reasonably necessary to complete the work.



Customer Pledge: Access Procedures

KC Water staff is committed to excellent customer service, and we understand that access to an easement on your property can be inconvenient at times. Whenever possible, KC Water staff will provide prior notification before accessing the easement on private property.

KC Water has specific procedures in place for gaining easement access in such situations, which are further described in this brochure. These procedures ensure that KC Water staff will make reasonable attempts to cooperatively access easements, depending on the particular circumstances and nature of work required.

KC Water has the legal right to access easements for work on its pipe network. It is also important to know that failure to provide access could result in financial liability to the impending access.



Financial Impact to Owner May Apply

When a customer refuses to grant access, or delays KC Water's ability to access or work within an easement, the property owner/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.



Least Destructive Access

KC Water utilizes the least destructive means to obtain access to a property. Least destructive access includes our ability to disassemble gates or latches, cut locks, or remove fence boards to gain access.

When conditions make it necessary for us to take these actions to gain access, KC Water will replace locks, fence boards, or reassemble gates. Our goal is to complete the necessary work and restore the site as quickly as possible. However, when necessary, KC Water will also remove obstructions from the easement area, including moving landscaping, debris, or structures that should not be located in the easement. In these circumstances, KC Water is not responsible for moving the obstructions back onto the easement.

Access Procedure Overview

Maintenance personnel will:

Work to gain access to the easement.

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

If owner is not at home, KC Water will obtain access using the least destructive means by:

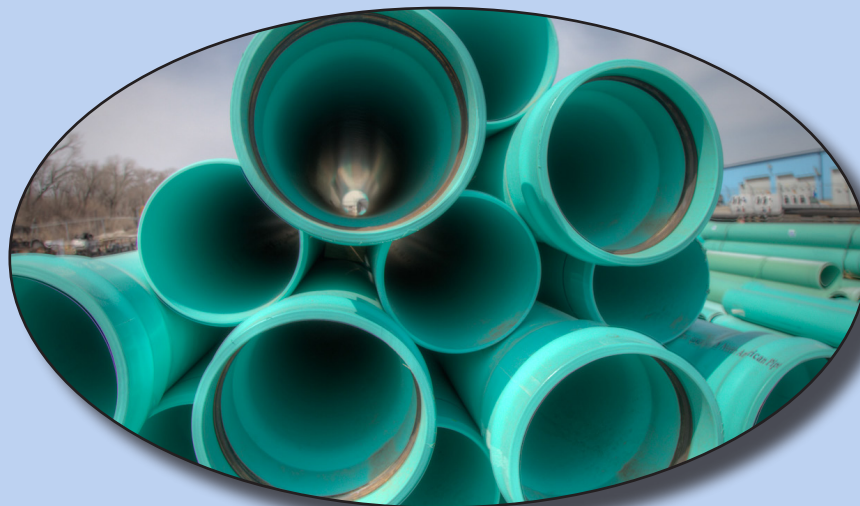
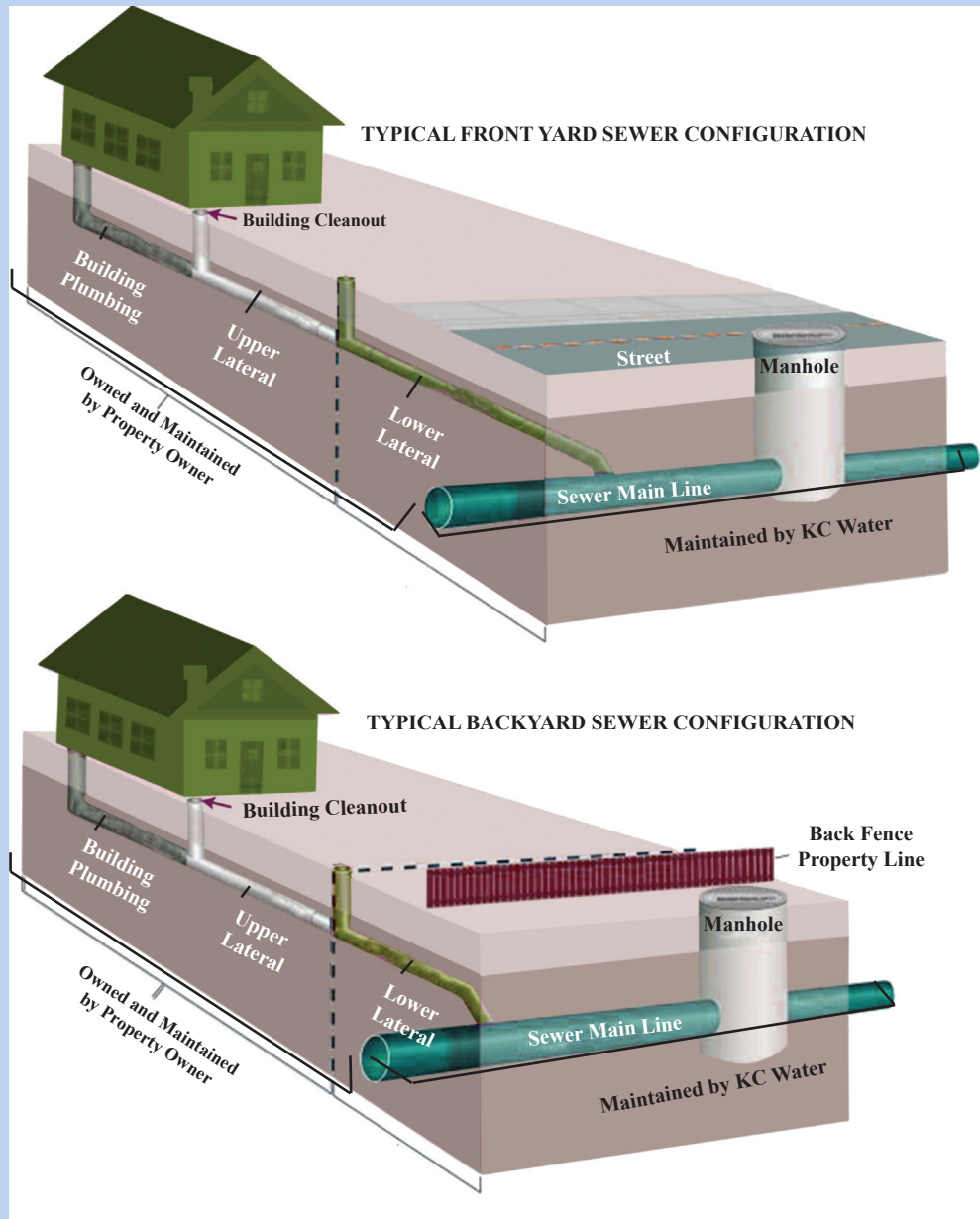
- Disassembling gate hinges
- Disassembling gate lock catch
- Cutting the lock
- Removing a portion of fence
- Utilizing an animal control agency if dog or animal is present
- Obtain the access corridor to facilitate the repair/rehabilitation within the work area
- Move obstructions from the easement area that prevent necessary access, including moving landscaping and debris and disassembling structures that should not be located within the easement



Access Summary

Under certain circumstances, such as an emergency, KC Water 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 back-up into a structure
- Public health/safety problems
- Damage to public or private property
- Negative environmental impacts



Sewer Problems?

Call KC Water at 816-513-1313 or 311
Visit us online at www.kcwater.us

