

STORM DRAIN POLICY

1.0 POLICY PURPOSE

This policy has been formulated to provide proper and suitable guidelines as to a procedure for dealing with storm water drainage within the Town of Garner.

2.0 COVERAGE

This policy upon adoption by the Board of Aldermen, shall apply to existing and proposed storm drainage systems including, but not limited to, drainage pipe, head walls, stream beds and banks, until such time that the policy statement is altered, modified or rescinded by the Board.

3.0 POLICY

The Town policy is to assure the equitable and consistent maintenance of storm drainage structures, streams, or easements lying only within the Town of Garner right-of-way or traversing Town owned property. The property owner has the sole responsibility for off-street drainage easements traversing his property except as provided in the Section entitled PROCEDURES AND GUIDELINES.

4.0 PROCEDURES AND GUIDELINES

- 4.1 The Town of Garner will not maintain or correct any storm drainage or permanent drainage facilities unless it lies within the Town right-of-way or on Town owned property, or as set forth below.
- 4.2 If, in the opinion of the Town Engineer, there exists a problem on private property which is presenting a danger to the life or health of the neighborhood public, upon a property owner's request or upon an independent investigation by the Engineering Department, the Town Engineer shall make a recommendation to the Town Manager.
- 4.3 If there exists a drainage problem which is causing periodic flooding of the finished floor of a principal structure (house, business office, etc.) due to an inadequate street storm drainage system, the Town may upgrade the street storm drainage system to alleviate the flooding problem. Flooding would be considered periodic if the finished floor would flood during storm events of lesser magnitude than the theoretical fifty (50) year return frequency storm. Any upgrade to the street drainage system would be designed to accommodate the peak runoff from the fifty (50) year storm without causing finished floor flooding. Flooding of garages, outbuildings, crawl spaces, or yards does not qualify as finished floor flooding.

- 4.4 If there exists a drainage problem which involves frequent flooding of Town maintained streets due to an inadequate street drainage system the Town may upgrade the street storm drainage system to alleviate the flooding problem. Flooding would be considered frequent if the street would be flooded during storm events of lesser magnitude than the theoretical five (5) year return frequency storm. Any associated upgrades to the street drainage system would be designed to accommodate the peak runoff from the five (5) year storm. The Town may elect not to address the drainage problem if the street flooding does not result in significant inconvenience to the motoring public or does not cause significant safety concerns to the area residents.
- 4.5 Erosion of public or private property that is directly caused by street drainage systems may be stabilized by the Town. Such stabilization would be undertaken only in the area immediately upstream of the storm drain inlet and/or immediately downstream of the storm drain outlet. Erosion of stream banks in areas not immediately adjacent to storm drains is not eligible for stabilization by the Town.
- 4.6 In such situations where there is an emergency, the Town Manager has full authority to make a final decision as to how to proceed with the drainage problem. Emergency actions taken will be reported to the Public Works Committee as soon as feasible. When the Town Manager concludes that action would contravene or extend this policy, he shall seek the advice and concurrence of the Public Works Committee.
- 4.7 When, as determined by the Town Engineer, the Town has directly been the sole cause of a new downstream or upstream drainage problem, the Town will correct the problem at no cost to the property owner. However, if it is determined that the problem was caused by a property owner, the Town will not be responsible for the cost involved.
- 4.8 If the Public Works Committee deems it necessary for the Town of Garner to correct a problem on private property, the property owner(s) will be responsible for moving or removing all structures (i.e., fences, sheds) from the drainage easement from which the work is to be performed at no cost to the Town. In addition, the property owner will provide reasonable access to area to be repaired along with drainage and construction easements at no cost to the Town.
- 4.9 The Town of Garner will not install and/or maintain driveway culverts on public or private property.