

CITY OF PARK CITY
STORMWATER DRAINAGE SYSTEM MAINTENANCE POLICY
March 10, 2020

PURPOSE

The purpose of this policy is to define the maintenance responsibility for stormwater and drainage features within the City of Park City. This policy is written to support Public Works staff in making maintenance and capital improvement project decisions related to the City's stormwater system; to help identify, evaluate, and resolve existing drainage problems; and to define public and private maintenance responsibilities for stormwater drainage systems.

STORMWATER FACILITIES

Stormwater facilities refer to any system designed to reduce stormwater flows or to reduce the pollutant loads in stormwater. Stormwater facilities include, but are not limited to culverts, ditches, storm sewer, inlets detention basins, infiltration ponds, etc.

STORMWATER FACILITY MAINTENANCE

While the City is responsible for the overall management and performance of stormwater conveyance systems, there are certain segments of right-of-way, easements and other dedications that the City is responsible for and others that the City is not responsible for.

Generally, the City will only perform maintenance on the stormwater drainage systems when the system component is located within certain segments of the City's street right-of-way, within City owned property, or within a properly dedicated easement to the City as illustrated on the attached Stormwater Maintenance Map. The City is not responsible for the maintenance of stormwater and drainage features located on private property nor within easements on private property. Likewise, The City is not responsible for the maintenance of system components within an established right-of-way, easement or other dedication that is located adjacent to private property unless otherwise noted herein.

Additionally, the City is not responsible for surface drainage problems arising from street runoff or stormwater conveyance systems owned, operated, or maintained by others (e.g. KDOT, Sedgwick County or Homeowners' Associations).

Exception to these rules are described in this policy. In those instances when maintenance responsibility is not clear or when the City otherwise is compelled to work on privately owned systems, this policy also provides guidance on the issues to be considered during the decision-making process.

The following are examples of the division of maintenance responsibilities of the City and of private property owners:

1. The City of Park City's Public Works Department shall have the following responsibilities:

- General maintenance, repair or replacement of only those stormwater drainage facilities located within public rights-of-way and on other public lands as shown on the Stormwater Maintenance Map;

- Removing fallen trees and large debris from creeks when those obstructions create a qualifying drainage problem (see Emergency Maintenance section);
- Clearing storm drainpipes, catch basins and public culverts which are shown on the Stormwater Maintenance Map;
- The City will replace driveway culverts that are deteriorated or not allowing for proper drainage in the event the adjacent property owner fails to properly maintain the culvert. The owner shall incur the cost of the pipe and installation;
- Controlling severe creek bank erosion when necessary to protect water quality and adjacent properties; and
- Administration and enforcement of floodplain management regulations and associated inspections, in accordance with City policies.

2. Private property owners are solely responsible for:

- Maintenance of culverts and the mowing of ditches located within the adjacent street rights-of-way from their property line to the back of curb or edge of pavement;
- Maintenance and mowing of drainage easements on private property;
- Cleaning up sticks, leaves or other debris on private property after heavy rain or flooding;
- Repairing or replacing private property damaged by stormwater runoff or flooding;
- Clearing out incidental debris from creeks and drainage ditches such as trash, leaves, grass clippings or small tree branches;
- Re-grading or re-seeding a storm drainage easement after a construction project; and
- Other actions that do not prohibit or impact the functionality of the public drainage system.

EMERGENCY MAINTENANCE

The City may conduct emergency maintenance on any portion of the stormwater conveyance system (public or private) in order to protect the common good. Emergency maintenance includes maintenance necessary to remedy a condition which is potentially damaging to life, property, or public streets and right-of-way.

Such emergency maintenance, conducted for the common good, shall not be construed as constituting an acceptance of a continuing maintenance obligation by the City, nor prevent the City from seeking reimbursement for expenses from the property owner(s) of the land that generated the condition. In cases of emergency maintenance, the City is not obligated to replace structures and/or plantings placed within a drainage easement.

DRAINAGE TERMS

Stormwater infrastructure consists of the following systems and infrastructure:

DEDICATION: Gift or donation of property by the owner to a governmental unit. The transfer is conveyed by a plat or a written separate instrument. The act of dedicating is completed with a formal acceptance by the governing body.

DETENTION AND RETENTION BASIN or POND: A storage facility for the temporary storage of stormwater runoff. These improvements are designed to capture runoff for a limited period of time and discharge into a larger public stormwater system or stormwater channel. The City will not clean or maintain retention or detention basins, overflow structures, nor the first reach of pipe upstream and downstream of the basin unless the City has specifically accepted such responsibility.

DRAINAGE EASEMENT: An easement required for the installation of storm water sewers or, waterways and/or required for the preservation or maintenance of a natural stream or water course or other drainage facility.

DRIVEWAY CULVERTS: Storm pipes incorporated into driveways to allow storm flows to travel through street ditches and gutters.

FLOODWAY: The channel of a natural stream or river and portions of the flood plain adjoining the channel, which are reasonably required to carry and discharge the floodwater or flood flow of any natural stream or river, without increasing the water surface elevation at any point more than one foot.

FLOODWAY, REGULATORY: The channel of a river or other watercourse and the adjacent land areas, as delineated by Federal Emergency Management Agency (FEMA), that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point.

CHANNELS (IMPROVED): Improved stormwater channels are open walled waterways designed to certain standards and typically constructed from reinforced concrete, non-reinforced concrete, gabions, concrete mattresses, grouted rock blanket, rock blanket, or any other type of improvement installed by the City or installed by a developer, reviewed and approved by the City.

CHANNELS (UNIMPROVED): Stormwater channels that have not been improved as described above, such as natural streams, stone revetments, and grade controls.

INLETS: A stormwater structure that has a curb inlet, area inlet, or street grate that allows stormwater runoff to enter the stormwater system. Inlets are interconnected to the stormwater system via storm sewer piping. Inlets typically need regular cleaning due to the accumulation of debris washed in from storm events. The City will not allow bars, grating, screens, or any other obstructions to stormwater runoff to be placed in front of inlets or pipe openings.

PLATTED RESERVE: An area of property within a subdivision which is platted for specific uses, e.g., open space, land scaping, entry monuments, recreational facilities, utilities and drainage, floodway, etc. Typically, future ownership and maintenance responsibilities for a reserve is set forth by a restrictive covenant which provides that a homeowners or lot owners association will hold title to the reserve and therefore be responsible for the reserve's maintenance. The restrictive covenant may provide for ownership and maintenance to be tied to the ownership of an adjacent lot. Ownership and maintenance are not assigned to an individual, partnership or corporation except in the case of a reserve platted for possible future sales to a public body for a public facility.

RIVERS AND STREAMS: Natural waterways that drain watersheds.

STREET CULVERTS AND BRIDGES: Engineered bridges and culverts designed to allow streets to span rivers, streams and stormwater channels. The City will only maintain street culverts which are shown on the Stormwater Maintenance Map.

STREET DITCHES OR GUTTERS: Earthen or paved stormwater channels alongside streets or curbed gutters alongside streets.

STORMWATER DRAINAGE SYSTEM: Any mode of conveyance within the City that allows or permits the flow of stormwater to waters of the State. The conveyance can be open or enclosed, public or private, and may contain non-stormwater discharges. The stormwater drainage system includes all the infrastructure and natural drainage designs that are intended to collect, control, and provide a method of conveyance, discharge, and perhaps treatment of stormwater, including but not limited to open channels (ditches, streams, swales), storm drain pipes, drainage boxes (catch basins, drop inlets), detention basins, retention ponds, wetlands, outfalls, and treatment structures.

STORMWATER DRAINAGE SYSTEM, NON-DEDICATED: Stormwater infrastructure that provides a public service and serves more than one property. Typically, systems not built per City standards, not in dedicated easements, and undedicated to the City. Examples may include a system built in a subdivision without permits or City approval, or as-built drawings were not received.

STORMWATER DRAINAGE SYSTEM (PRIVATE): That portion of the stormwater drainage system located on private property which is not the legal responsibility of the City.

STORMWATER DRAINAGE SYSTEM (PUBLIC): That portion of the stormwater drainage system that is located within the City's right-of-way or other City-owned land, or outside of the City's right-of-way or other City-owned land to the extent that the portion of the system has been legally conveyed to the City as evidenced by the written dedication and acceptance of the same.

STORMWATER BMP (BEST MANAGEMENT PRACTICE): A constructed stormwater feature intended to reduce pollutants from stormwater discharges and improve surface water quality.

STORMWATER SEWERS: Enclosed and typically underground piping that transports stormwater runoff from properties and streets to streams. The City will clean and maintain all public storm sewers (enclosed systems) including street and area inlets, pipes, and manholes that have been dedicated to or accepted by the City for operation and maintenance. The City will not maintain private stormwater sewers.

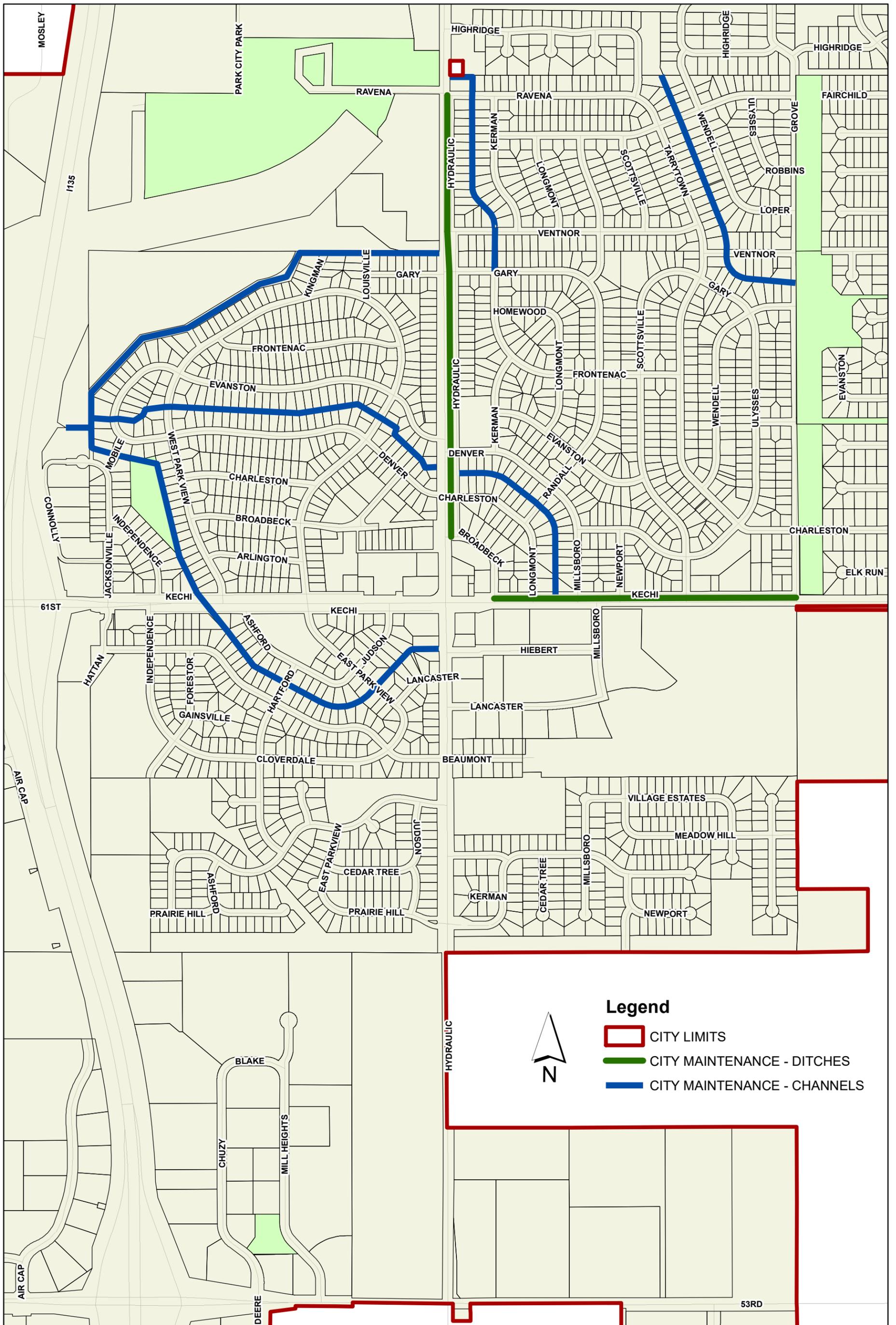
SWALES: Shallow trough-like depressions designed to divert or channel stormwater flows. Examples include ditches and other grading to direct flow to specific areas. Yard swales or grading will not be maintained, re-graded, or re-established by the City, and is the responsibility of the homeowner. At culverts/ inlets, the City will remove debris, trees, brush, and weeds that significantly obstruct the flow in the channels on City property or cause flooding of City facilities. The City may make improvements to unimproved channels to protect the health, safety or welfare of the public or protect City facilities. The City does not maintain unimproved ditches on private property.

WATERWAY: Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed and banks, and includes any area adjacent thereto subject to inundation by reason of overflow or flood water.

DISCLAIMER

City maintained storm drainage easements and/or the cleaning, construction, or repair by the City of storm water drainage facilities does not constitute a warranty against storm water hazards, including, but not limited to, flooding, erosion, or standing water. The City of Park City reserves the right to deviate from this policy for the health, welfare, and safety of the community.

Conditions set forth in public drainage easements shall be binding on the heirs, successors, assigns and grantees of the properties impacted. The owner and his or her successors, tenants, assigns and heirs agree to hold the City, its officers and employees harmless from any damage or claim whatsoever arising from the work.



PARK CITY STORMWATER MAINTENANCE MAP