



Stormwater Management

Extent of Service

Infrastructure Repairs and Maintenance

March 2, 2017

# City of Dunwoody

## Stormwater Inspection and Maintenance Policy

### 1.0 Purpose and Authority

The goal of this Stormwater Management System Inspection and Maintenance Policy is to define the rights and responsibilities of the property owner(s) for maintaining the water quantity and quality functions of Stormwater Best Management Practices (BMPs), as well as provide for City guidance to ensure their proper functioning. This policy is based upon the City of Dunwoody's Stormwater Utility Ordinance (Article V, Chapter 32, Section 32-502 through Section 32-512).

The Metro North Georgia Water Planning District (MNGWPD) and the Georgia Environmental Protection Division's (EPD) Phase II National Pollutant Discharge Elimination System (NPDES) Permit requires municipalities to have fully implemented stormwater facility maintenance programs for public and private facilities. This Stormwater Inspection and Maintenance Policy is also implemented at the direction and requirement of BMP F-2 (MS4 Operation and Maintenance Program) in the City's NPDES Permit.

### 2.0 Definitions

**Roadway** - The paved portion of a street from back-of-curb to back-of-curb (or edge to edge of pavement for streets not having curbs) but excluding driveway aprons, bridges, and large single and multi-cell culverts which in a hydrologic sense can be considered to function as a bridge.

**Stormwater Management System** - Any one (1) or more of the various devices used in the collection, treatment, or disposition of storm, flood or surface drainage waters, including all manmade structures or natural watercourses that convey or transport runoff. Such devices may include detention areas, berms, swales, improved watercourses, open channels, bridges, gulches, streams, gullies, flumes, culverts, gutters, pumping stations, pipes, ditches, siphons, catch basins, junction boxes and street facilities; all inlets; collection, drainage or disposal lines; intercepting sewers; disposal plants; outfall sewers; all pumping, power, and other equipment and appurtenances; all extension, improvements, additions, and alterations thereof; and any and all rights or interests in such stormwater facilities. Stormwater facilities expressly excludes any of the foregoing which exist for, or are used exclusively for the purpose of collection, treating, measuring, supplying, or distributing potable water within or as part of the County water supply and treatment system, or any of the foregoing which exist for or are used exclusively for the purpose of collecting, treating, or measuring effluent within or as part of the County sanitary sewer system.

**Structural Stormwater Control** - A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the direction, quantity, quality, period of release or velocity of flow of such runoff. Structural Stormwater Controls include but are not limited to junction boxes, headwalls, weirs, water quality devices, and outlet control devices.

### **3.0 Inspection and Maintenance Responsibilities**

For all existing and new developments the following inspection and maintenance responsibilities shall apply:

#### **Private Stormwater Management Facilities**

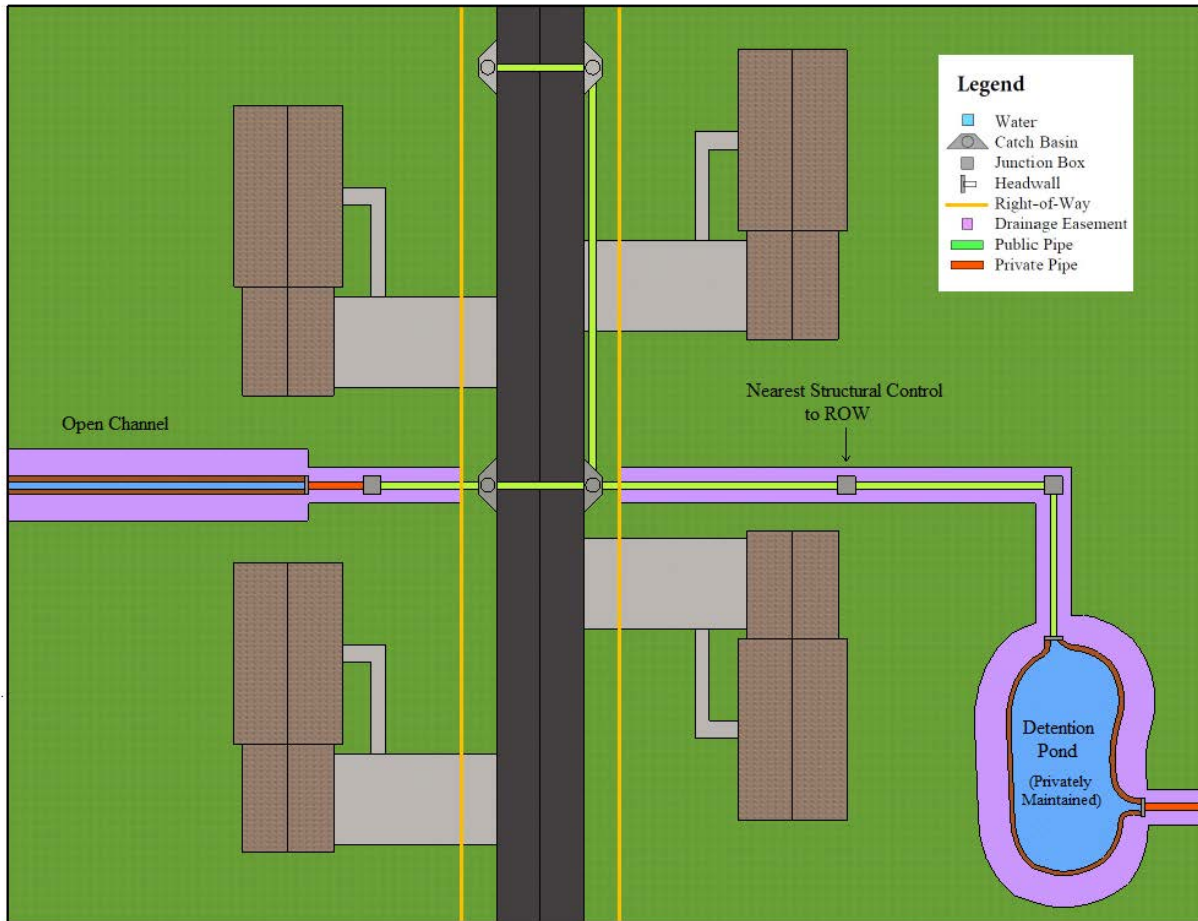
Private stormwater management facilities shall be privately owned and it shall be the responsibility of the owner(s) to ensure proper function of the stormwater management facilities located on their property. This shall be accomplished through, periodic inspections and routine maintenance by the responsible party. The owner(s) shall maintain a perpetual, non-exclusive easement that allows access for inspection and emergency maintenance activities.

#### **Public Stormwater Facilities**

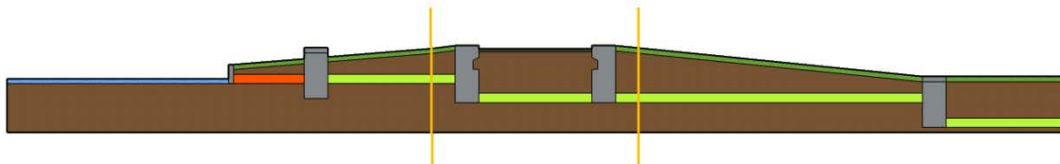
The City of Dunwoody is responsible for inspecting and maintaining stormwater management facilities located on municipal property and within the public right-of-way (ROW). This includes stormwater structural controls on properties owned by the City of Dunwoody and in the public ROW; and some pipes draining City streets. Pipes draining City streets are publically maintained in the upstream direction to the nearest stormwater structural control (typically junction box or headwall) from the public ROW. In the upstream direction drainage infrastructure beyond the nearest stormwater structural control to the public ROW, shall be privately maintained. In the downstream direction, pipes draining city streets are maintained to the downstream headwall. Figure 1 and 2 provide a visual representation of the City's extent of service responsibility.

When a public drainage responsibility exist to a downstream headwall, the area just downstream of the headwall, may be city maintained as necessary for 10 feet to ensure the free flow of water and prevent erosion around the headwall.

**Figure 1. Aerial View of City's Stormwater Extent of Service**



**Figure 2. Cross Section View of City's Stormwater Extent of Service**



## **Extensions to City Maintenance Responsibility**

Extensions to the stated city maintenance responsibility shall only be made when one or both of the following criteria are met:

- A permanent maintenance agreement exist between the City of Dunwoody and a private property owner. If such an agreement exist, the stated responsibilities in the permanent maintenance agreement shall take precedent to the City's Extent of Service Policy. Maintenance agreements made prior to the existence of the City of Dunwoody or between parties that do not include City of Dunwoody do not meet this criteria.
- Specific field conditions are encountered where the City of Dunwoody has demonstrated legal drainage maintenance responsibility.

### **3.1 Detention / Retention Ponds and Underground Stormwater Storage Facilities**

The following statements identify who will be responsible for structural stormwater controls on private property. All correspondence and violations will be addressed to the responsible party.

In subdivisions with an established homeowners association (HOA) - The HOA shall be the responsible party.

In subdivisions without an established HOA - The owner(s) of the property that the facility is on or serviced by shall be the responsible party. The City will only issue maintenance requests and violations to the responsible party. This in no way shall hinder the rights of the property owner(s) to involve the other property owners that the facility serves.

In commercial and industrial developments - The property owner(s) shall be the responsible party.

In properties with a Stormwater Management Inspection and Maintenance Agreement - The responsible party as well as the responsibilities shall be described in the agreement.

The City of Dunwoody has a maintenance responsibility only if the facility is located on property owned by the City of Dunwoody, is located on Public ROW, or an existing maintenance agreement exist between the City of Dunwoody and the private property owner. Maintenance agreements made prior to the existence of the City of Dunwoody or between parties that do not include the City of Dunwoody do not apply to the City's maintenance responsibility.

### **3.2 Pipes**

Residential - Pipes draining City streets are publically maintained in the upstream direction to the nearest stormwater structural control (typically junction box or headwall)

from the public ROW. In the upstream direction drainage infrastructure beyond the nearest stormwater structural control to the public ROW, shall be privately maintained. In the downstream direction, pipes draining city streets are maintained to the downstream headwall. See Figure 1 and 2 for a visual representation of the City's extent of service responsibility.

Stormwater Infrastructure not connected to pipes draining City Streets shall be privately maintained. Driveway pipes or pipes supporting the driveway apron to access residential property shall be privately maintained.

Commercial - The property owner(s) shall be responsible for any pipes that are located on private commercial property. For any pipe that crosses a property line between private and public property, the City will determine who is responsible for maintenance on a case-by-case basis. Driveway pipes or pipes supporting the driveway apron to access commercial property shall be privately maintained.

### **3.3 Driveway Aprons**

Maintenance and repair of driveway aprons are the responsibility of the property owner in the City of Dunwoody. Drainage problems that arise from driveway aprons which were not constructed to the specifications of Dekalb County Standard Detail 709 and 710 are the responsibility of the private property owner.

### **3.4 Open Channels**

Residential and commercial - The property owner(s) shall be responsible for maintaining normal unobstructed flow of any open channel(s) located on private property. This may include, but not be limited to ditches, swales, and creeks.

RipRap Program - The City has established a RipRap program to assist homeowners with erosion problems along open channels on their property. The City will deliver RipRap free of charge to the ROW adjoining the homeowner's property, if 1) the public works department confirms that a channel stability issue exist and 2) the property owner signs an Environmental Affidavit. Installation of the rip rap into the channel is the responsibility of the private property owner(s).

### **3.5 Records of Maintenance Activities**

The responsible party shall keep documentation of all of their inspections and maintenance activities and provide this documentation to the Stormwater Division of the Department of Public Works upon request.

## **4.0 City Inspection Programs for Privately-Owned Facilities**

The Stormwater Division of the Public Works Department has established an inspection and maintenance program, as required by the city's NPDES permit, for privately-owned

structural stormwater controls. The inspection program includes routine inspections; random inspections; requested inspections; inspections based upon complaints or other notice of possible violations; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include but are not limited to: visual inspections; review of maintenance and repair records; sampling of discharges; and evaluating the condition of structural stormwater controls and practices.

- The City will not involve itself in private property disputes or other legal actions between property owner(s).
- The City may provide technical assistance and riprap to assist with the maintenance and stabilization of stormwater management facilities.
- The City inspection program has a goal of inspecting 20 Percent of all stormwater infrastructure per year.

#### **4.1 Emergency Maintenance / Failure to Maintain**

In accordance with Section 16-36 of the City's Stormwater Utility Ordinance, the Stormwater Division of the Department of Public Works may conduct emergency maintenance if the responsible party fails or refuses to maintain their stormwater management facility in proper working order. The City may correct a violation by performing the necessary work to place the facility in proper working condition. The City may assess the responsible party for the cost of the repair work that shall be a lien on the property, and may be placed on the ad valorem tax bill for such property and collected in the ordinary manner for such taxes.

#### **5.0 Categorizing Project Request**

There are currently more projects than the City can address at one time. The order of response to these projects will be determined by the category of the request. Requests for projects will be categorized as:

- Category I: Posing an immediate danger or threat to public safety,
- Category II: Rapidly degrading to a dangerous condition, or
- Category III: Maintenance or cosmetic repair.

Projects in Category I will receive priority.

City Public Works staff will review project requests and will perform the initial project categorization. Public Works staff will periodically monitor the conditions at the project location, prior to repair/maintenance, and will modify the categorization when needed.