

# Storm Drainage Policy

## Storm Drainage Policy and Procedures

### **I. SUBDIVISIONS:**

Storm drainage systems in any new subdivision shall be the entire and sole responsibility of the developer. All new subdivisions shall have drainage systems installed by the developer in accordance with requirements and regulations of the City of Burlington. Pipe sizes shall be as determined by the engineer for the developer and approved by the City Engineering Department.

### **II. PRIVATE PROPERTIES OTHER THAN NEW SUBDIVISIONS:**

The City may participate with property owners in the installation of storm drainage improvements crossing private residential property in other than new subdivisions within the City's corporate limits under the following conditions:

1. The storm drainage system to be installed must carry storm water discharged from an existing City street dedicated for public street purposes (including alleys). Said streets must be accepted for permanent maintenance by the City of Burlington.
2. The property owner(s) will furnish the City of Burlington, without cost, a duly signed good and sufficient easement conveying to the City permission to enter and cross said property as necessary for the purpose of performing any and all types of work related to the installation of said storm drainage system. The property owner will be responsible for the removal of any trees, shrubs, fences or other encumbrances that would impede the performance of the work.
3. The minimum distance in which the City will participate in the installation of storm drainage systems will be the distance required to extend from one property line to another property line of the same lot. Any shorter distances than that required to traverse one lot must be deemed feasible by the City prior to City participation. Any application for the installation of storm drainage systems within several lots must be signed by 100 percent of the affected property owners within the proposed project area.
4. All pipe sizes, stabilized channels, structural accessories, discharge points, and other specifications shall be as determined by the City. All pipe is to be of reinforced concrete unless determined otherwise by the City.
5. All materials for the project shall be as determined necessary by the City and shall include headwalls, manholes, catch basins, brick, block, concrete, flumes, pipe, splash pads, rip rap, stone, fill material, filter fabric, seed, fertilizer, straw, mortar, and any other accessories or materials necessary to complete the project.
6. Upon receiving a request from a property owner(s) the City staff will determine if the request is eligible for City participation. If the proposed project is determined to be eligible, preliminary plans and cost estimates for the project will be completed by City staff and the most appropriate method of addressing the problem will be discussed with the owner(s). The owner(s) will then decide if the project is viable.
7. If authorized by the owner(s), plans and specifications will be completed and the project will be let to bids on a lump sum basis. If the lowest bid from a responsible, qualified bidder is acceptable to the owner(s) and the City, the property owner(s) and the City will share in the cost of the project on a 50% - 50% basis. The City's share of the cost of the project will be limited to \$10,000 per lot or per owner.
8. The property owner(s) will deposit with the City one-half of the lowest, acceptable bid amount. Upon completion of the project and final inspection by City staff and the owner(s), the final cost including any approved change orders will be determined and any necessary adjustment (refund or additional billing) will be made to the previously deposited amount.

9. In the event that more than one property owner is involved in a storm drainage project, the cost for each property owner shall be determined by dividing the total cost for the project by the total footage of property owners adjoining the proposed system and multiplying the resultant by the footage of each individual owner ([footage of each owner divided by total footage] x total cost) unless otherwise agreed prior to installation.
10. All storm drainage construction on private property shall be on a low priority and shall be done on a scheduled basis so as not to interfere with other City projects and then only as budgeted funds of the City are available.
11. The City reserves the right to refuse to participate in any project that is determined to be excessive in cost or of limited benefit as a storm water improvement measure. Any decision by City staff to refuse participation in an otherwise "eligible" project maybe appealed upon written request for consideration by the City Council.
  1. Storm drainage systems crossing private property which do not carry storm water from existing City streets dedicated for public street purposes and accepted for maintenance by the City shall be the sole responsibility of the property owner and the City will not participate in the installation of said storm drainage systems.
  2. No action or lack of action of the City pursuant to the policy established by this resolution whether in the past, present, or future shall impose upon the City of Burlington its agents, officers, or employees any responsibility or liability of any kind relating to any person or property. The petitioners shall agree to covenant to and to hold the City harmless from any death, personal injury or property damage resulting from construction of the project. No such action by the City shall be considered or construed as accepting responsibility for maintenance of any stream, drain, or any ditch as a part of the City's drainage system.
  3. The conditions and easements set forth in this resolution shall be binding upon the heirs, successors, assigns, and grantees of the petitioners.
  4. Nothing herein shall be construed, interpreted, or implied in such a manner as to aid or assist in the development of subdivisions or the development of properties in the City. The policy set out herein shall be applicable only to existing lots for which no new subdivision or development is anticipated or planned.
  5. This policy and procedure does not apply to driveway pipe installation nor the maintenance of ditches.