

# **Storm Water System Responsibilities Property Owner and City**

## **WHAT IS STORMWATER RUNOFF?**

During rain events, impervious surfaces such as rooftops, driveways, parking lots, and roads, prevent water from being absorbed into the ground. When a rainfall event occurs, the portion of water that is not absorbed into the ground becomes what is known as “stormwater runoff”. All properties contribute to stormwater runoff and property owners are responsible for storm drainage flowing through their property.

This flowing water picks up and carries a wide variety of pollutants and debris – such as soil, fertilizers, pesticides, pet waste, trash and motor oil – which then flow into storm drains or channels and eventually empty into the waterways used for recreation and drinking water. Unlike typical household wastewater (from sinks, toilets and showers) stormwater is not filtered and treated at a wastewater treatment plant. This means that the everyday pollutants carried by stormwater runoff have a direct impact on our local water quality.

## **MAINTENANCE OF PUBLIC DRAINAGE AREAS**

To allow for proper function of the overall system, the City maintains the public stormwater drainage system and structures within specified, and dedicated public stormwater drainage easements. Maintenance may include seasonal creeks and streams located throughout the City as well as surface and underground stormwater facilities. City maintenance will be in accordance with the most recent City Council approved map of maintained drainage areas.

The City does not maintain drainage utility easements (including concrete channels, retention walls, retention ponds, detention ponds, etc...) located on private property. However, the City may enter private property located within a dedicated drainage easement to remove an obstruction or otherwise repair or rehabilitate the storm drainage system.

The Texas Department of Transportation (TXDOT) maintains the storm systems located within TXDOT right-of-way. This includes Hewitt Drive, Spring Valley Drive, Bagby Avenue, and Sun Valley Drive. Storm water systems on land owned by other public entities such as Midway Independent School District, McLennan County, the State of Texas, the federal government, etc. are maintained by those

entities. There are also numerous private systems that are the responsibility of private property owners, including driveway culverts and bridges that cross public drainage systems.

While the City takes proactive measures to mitigate drainage issues and concerns throughout the city, flooding of both property and homes, can and will occur during times of heavy rain.

## PRIVATE DRAINAGE & EROSION ISSUES

Private drainage and erosion issues, as well as ground water issues (ie. natural springs), are the responsibility of the property owner. The City is not responsible for ensuring proper drainage on privately owned property. In general, the easement holder (property owner) has the duty to maintain the easement. This includes public drainage utility easements located on private property.

Property owners are responsible for maintaining drainage easements located on their property in a neat and clean manner. This may include routine grounds keeping such as grass mowing as well as removal of trash, vegetation, and debris. Owners should ensure that drainage systems and structures are kept free of yard waste (grass clippings, tree trimmings, fallen limbs, and leaves) or other obstructions (privacy fencing or retaining walls) that may block the flow of water. Driveways, and their associated culverts, bridges, or other appurtenances, that cross public drainage systems (e.g., that cross over ditches or streams) are also property owner responsibilities.

Vegetative growth (trees, shrubs); firewood; driveways and their associated culverts or bridges; and fences or retaining walls, may be permitted or allowed in easements as long as they do not block the flow of storm drainage. Drainage directed from gutters, french drains, downspouts, swimming pools, retention walls, or other private systems to neighboring properties is a civil matter between the property owners. Moreover, owners that place obstructions, or fail to maintain property within public drainage easements (ie. structures, sheds, buildings, curbs, retaining walls) may be subject to civil action from adjacent property owners and may be subject to a notice of violation as determined by the City.

Information or assistance may be available from Community Services concerning the cause of a drainage issue or problem. While the city may propose or recommend possible solutions, the city cannot design or otherwise engineer improvements on private property. Additionally, the City can not recommend a particular contractor or undertake any work outside a dedicated city drainage easement.

HOW YOU CAN HELP

Keep easements and storm drains free of litter and debris. Do not rake, blow, or dump grass clippings or leaves into the storm drainage system. Keep the area easily accessible in case repairs or maintenance are necessary. Do not place sheds or other permanent structures in the easement or on top of drainage structures. Avoid obstructing the flow of stormwater with privacy fencing.

Apply pesticides and fertilizers in accordance with label instructions to minimize chemicals entering the stormwater system. Never dump pet waste, used motor oil, paint, chemicals, or other substances into a storm drain. Additionally, due to various chemicals existing in swimming pools, owners should never drain a swimming pool into storm drains without first treating the water to remove detrimental chemicals. These pollutants are often extremely difficult and costly to remediate or remove.

Report drainage issues with documentation (photos, videos, surveys, etc...) to the City. Photos and videos taken at the time of heavy rain are particularly helpful. These can be emailed or physically taken to the Community Services Department of the City.

Report dumping or spilling of hazardous materials into a drainage system to the Fire Department by calling 911 in case of an emergency, or 254-666-0460 in a non-emergency situation.