

# **WALTON COUNTY ROADS AND BRIDGES**

## **STORM WATER DRAINAGE MAINTENANCE POLICIES**

### **1.0 Area of Responsibility**

The County shall be responsible for the maintenance of the drainage system within the right of way on dedicated Streets in Unincorporated Walton County.

### **2.0 Drainage easements**

#### 2.1 Definition

##### **2.1.1 Development Regulations**

An easement is defined as a "Recorded authorization for a specified purpose by a property owner for the use of any designated part of the real property by another entity."

A drainage easement is used by upstream property owners to allow the flow of storm water from upstream properties to downstream properties.

##### **2.1.2 A Restatement of the Law**

Is that a property owner cannot alter a drainage path that will have an effect on his neighbor's property (i.e., increase or decrease flood flows or increase flood elevations.) This means that downstream property owners must accept water that flows on their property from their neighbors and that upstream property owners cannot change the flow of water onto their downstream neighbors.

#### 2.2 Maintenance Responsibility

##### **2.2.1 Easements with Open Channel Flow**

The property owner will be required to keep the easement free of obstruction in such a way as to assure the maximum designed flow at all times. The property owner shall not alter any drainage improvements without the prior written approval from the County.

##### **2.2.2 Recorded Easements with pipe**

2.2.2.1 Pipe systems on commercial or residential property are the property owners responsibility.

##### **2.2.3 Emergency Authorization**

The County may conduct emergency maintenance operations on drainage systems where emergency conditions exist and where drainage easements have been recorded. Emergency maintenance shall constitute the removal of trees and other debris, which in the judgement of the County, would create a condition potentially dangerous to life or the public road system. The property owner shall reimburse the County for emergency maintenance on drainage systems. The cost of such maintenance shall become a lien on real property.

##### **2.2.4 County Construction Policies**

2.2.4.1 In grassed areas affected by County construction, the County will reseed with similar type of grass. Where seed is not available, the homeowner will be compensated using a settlement agreement. The County does not guarantee the survival of the grass. The maintenance of the grass is the property owner's responsibility.

2.2.4.2 The County will repair any pavement damaged by County personnel or construction.

- 2.2.4.3 The County will not replace trees or shrubs whose drip line is in the County right of way, or drainage easement that are cut down or do not survive as a result of construction. Trees and shrubs outside these limits that are damaged will be replaced with nursery stock. The County does not guarantee the survival of the plants. Maintenance of the plant material is the property owner's responsibility.
- 2.2.4.4 Fences that obstruct the flow of water are not allowed across drainage easements with open swales/ditches. The County will remove and put back an existing fence that is removed from a piped drainage easement, temporary construction easement or for maintenance or construction purposes. The County is not required to replace or repair other structures in a drainage easement or in the County right of way. A drainage easement that is damaged may be restored to their previous state immediately prior to construction.

### **3.0 Detention Facilities**

- 3.1 The detention storage capacity or function of any detention basin, pond or other impoundment, whether natural or man-made, shall not be removed or diminished without the express approval of Walton County.
- 3.2 Storm Water Drainage Maintenance Policies  
It shall be the responsibility of the property owner to maintain the operational characteristics of any facility constructed on their property for storm water detention pursuant to County requirements and to maintain the facility free of obstruction, silt or debris.

### **4.0 Ditches inside the right of way**

Ditches inside the right of way should not be piped unless the ditch and shoulder will not fit in the right of way and other erosion control measures have been tried and have failed, or a pipe system is deemed necessary by Walton County to improve traffic safety.

### **5.0 Driveway pipes**

- 5.1 Driveway pipes in a County right of way are the County's responsibility if Walton County approved the installation. The County will clean them out when necessary. The County will replace a pipe if it is damaged and poses a potential safety hazard, or the pipe causes a potential traffic hazard by flooding the street. The County does not replace pipes that only cause a nuisance to the homeowner.
- 5.2 If a driveway pipe located in the County right of way causes flood damage to a residential home, the County will saw cut the driveway, remove the pavement debris, install the pipe, and backfill the driveway with granular material if all of the following conditions are met:
- a. The property owner must purchase the type, size, and length of pipe required by the County.
  - b. The property owner is responsible for replacing the portion of the driveway pavement removed for installation.
  - c. Walton County has determined that the installation of a larger culvert will not adversely affect other property owners, will contribute to solving the flooding problem, and is technically feasible to install.
  - d. Driveway pipes on private property are private problems.
  - e. Storm Water Drainage Maintenance Policies The County is not responsible for installing or providing driveway pipes.

### **6.0 Driveway Curb Cuts**

Driveway curb cuts are the property owners responsibility. If water is going down a driveway

causing a property owner flooding problems, it is the property owner's responsibility to solve the problem. The County will not raise a driveway to prevent storm runoff from flowing down it.

## **7.0 Bury Pits**

7.1 The County shall not be responsible for bury pits.

## **8.0 Water Ponding on Street Surfaces**

The County will eliminate standing water in the street only if the County deems the water as a potential traffic safety hazard or if the County determines that the benefit derived from extended pavement life exceeds the cost of fixing the problem.

ADOPTED BY THE WALTON COUNTY BOARD OF COMMISSIONERS THIS 2<sup>nd</sup> DAY OF July, 1996.

RICK HOLDER, CHAIRMAN  
WALTON COUNTY BOARD OF COMMISSIONERS  
WALTON COUNTY, GEORGIA

ATTEST:

DONNA LINDSEY, COUNTY Clerk  
BOARD OF COMMISSIONERS  
WALTON COUNTY, GEORGIA

APPROVED AS TO FORM:

JOHN W. SPENCE  
COUNTY ATTORNEY  
WALTON COUNTY, GEORGIA