

THE RURAL MUNICIPALITY OF WHITEMOUTH

DRAINAGE POLICY

December 2, 2009

1. PURPOSE

The purpose of this policy is to define the responsibilities and limitations of the Rural Municipality of Whitemouth concerning routine drainage system maintenance, and the Municipalities response to drainage and flooding complaints.

2. RIGHT-OF-WAY DRAINAGE MAINTENANCE

1. The Municipal Drainage facilities including ditches, swales, side drains, culverts, cross culverts, driveway culverts, storm sewer culverts leading to outfalls, box culverts, drainage inlets, within established right-of-ways and subdivision drainage systems that handle roadway drainage and lot drainage are to be maintained as directed by Council.
2. Written service requests from the general public for roadway drainage and municipal drain related concerns shall be referred to the Municipal Office. The CAO shall initiate a procedure to handle drainage requests in the following manner:
 - a) Property owner submits an application.
 - b) Conduct a site inspection. The property owner will be notified when the inspection is to take place, and may attend.
 - c) Develop an overall plan of the affected drainage area.
 - d) Notify all effected property owners in writing within the drainage area, of the intended proposal. The notice shall provide affected property owners the opportunity to respond to the proposed project within a reasonable time period. Response options shall include approval, no objection, and objection.
 - e) Survey if required is undertaken and cost estimates prepared for the Drainage Committee's submission to Council.
 - f) Drainage licence if required is submitted to Licensing Authority
 - g) Work is scheduled, pending Licence approval (if Licence required), and Councils approval. (Yearly estimates)
3. Maintenance requests will not be given priority over scheduled projects unless it is determined by Council that failure to perform requested maintenance will seriously impact the drainage in the area where unscheduled maintenance is being requested.
4. Emergency related maintenance such as failure of storm sewers, pipes, or drainage ditches and swales will be the responsibility of the P.W. Supervisor or Assistant P.W. Supervisor.

5. The P.W. Supervisor or designate will assess standing water in ditches, swales, or other low lying lands, but standing water may not constitute a need for maintenance.
6. Pipe installations and maintenance thereof in municipal ditches for access purposes to private lands shall be the responsibility of the property owner. Pipe installations shall be regulated under the provisions of By-Law No. 498/08.
7. Routine mowing of swales, ditches, or easements, in rural residential development areas that can be maintained with a standard lawn mower or hand held weed trimmer is considered the responsibility of the property owner. In general, where the existing slope of the ditch is >3:1, the maintenance will be the responsibility of the property owner.
8. Owners adjacent to proposed drainage will be required to accept the excess dirt from drainage improvements. Council may, at its discretion, provide an exemption to this requirement in residential areas.
9. If the R.M. of Whitemouth deems that an easement is required to properly construct drainage works, the adjacent landowners must agree to sign the easement.

3. NON RIGHT-OF-WAY RELATED DRAINAGE MAINTENANCE

1. The P.W. Supervisor or Assistant P.W. Supervisor shall be the contact for any questions, complaints, field investigations, and determination of responsible entity, prioritization and schedule status for maintenance and/or restoration of non-right-of-way drainage.
2. The R. M. of Whitemouth will not be responsible for any localized flooding of yards, gardens, driveways, docks, residences, accessory structures and sheds or problems caused by high ground water, wet yards or standing water,
3. Removal of sod and shrubbery may occur during routine maintenance of drainage facilities. Any sod removed during maintenance will be replaced with top soil and seed in Rural Residential Areas.
4. P.W. Supervisor or designate will assess standing water in ditches, swales, or other low lying lands, but standing water may not constitute a need for maintenance.
5. Upon receiving a request from a property owner, the P.W. Supervisor or designate will try to determine a solution for any drainage problem on private property. If the property owner is satisfied with the solution, they may hire a Contractor of their choice execute and perform the necessary work, subject to obtaining both Municipal and Provincial approval. In either case, the property owner shall be responsible for

all costs associated with this work. The R. M. of Whitemouth shall provide the establishment of all grades necessary to carry out the proposed work with a fee to be charged to the property owner to cover the cost incurred by the Municipality.

6. In the event that more than one property owner is involved in a drainage project, the cost to each property owner shall be determined by dividing the total cost of the project by the total footage of property owned by each individual property owner and multiplying the resultant by the footage of each owner (footage of each property divided by total footage) x (total cost) unless otherwise agreed to prior to construction.
7. Any costs incurred by the R.M. of Whitemouth that is the responsibility of the property owner shall be charged to the property owner, with a monthly penalty charge of 1% on any unpaid balances. At such time the payment becomes delinquent the R.M. reserves the right to charge all unpaid balances including penalties to the property's tax roll.
8. Owners adjacent to proposed drainage will be required to accept the excess dirt from drainage improvements. Council may, at its discretion, provide an exemption to this requirement in residential areas.
9. If the R.M. of Whitemouth deems that an easement is required to properly construct drainage works, the adjacent landowners must agree to sign the easement.

4. EMERGENCY PUMPING AND/OR CUTTING OF ROADWAYS

Emergency pumping of floodwaters and/or the cutting open of municipal roadways will be evaluated in the following cases:

1. To protect the loss of life and the Public's health, safety and welfare.
2. To alleviate the flooding of public roadways.
3. As directed by the P.W. Supervisor or Municipal Council.