

Stormwater Management Policy

Definitions

Definitions – For the purposes of this Policy:

1. **Water Pathway** – a storm sewer, culvert, pipe, headwall, open channel, catchbasin, inlet, manhole, underdrain, natural swale, man-made swale, channel, creek, ditch or other drainage structure which carries surface water.
 2. **Watercourse** – a natural or man-made channel through which water flows.
 3. **Drainage Watercourse** – a water pathway which has been identified by the Village Engineer and designated as such by the Village.
 4. **Private Drainage Watercourse** – a drainage watercourse for which a private landowner has the responsibility to maintain, keep open and clear, and in repair.
 5. **Public Drainage Watercourse** – a drainage watercourse for which the Village has the responsibility to maintain, keep open and clear, and in repair.
 6. **Drainage Systems** – the systems referred to in Village Code, Section 156.02.
 7. **Swale** – a low lying or depressed and often wet stretch of land such as a small meadow, swamp, or marshy depression through or over which storm water passes.
 8. **Stormwater Structure** – a man-made object such as a storm sewer, culvert, or pipe which serves as a water pathway.
-

Policy

1. Except as otherwise provided herein, any natural or man-made swale that is not located within a public right of way and conveys water through or overland from a drainage system shall be classified as a Private Drainage Watercourse.
2. Effective with the adoption of this policy, as to any existing storm water structure, watercourse, or water pathway located on private property that is carrying storm water immediately discharging from a public right of way, the property owner may petition the Village for its designation as a Drainage Watercourse and for a determination as to whether it is to be classified as a Public or a Private Drainage Watercourse.
 - a. In all such instances, a designated drainage watercourse will be classified as a Private Drainage Watercourse until the Village has classified it as a Public Drainage Watercourse.
 - b. The Village Manager shall refer any Petition for consideration to Council's Roads and Public Works Committee. With the Village Engineer's advice, the Village Manager shall, with the petition, include his recommendation for action to be taken. A recommendation by the Village Manager to reclassify a Private Drainage Watercourse as a Public Drainage Watercourse shall include but not be limited to any or all of the following considerations:
 - a. The collapse or potential collapse of a storm water structure which is likely to result in significant flooding of a public right of way so as to endanger the public safety.
 - b. The collapse or potential collapse of an existing storm water structure which is likely to result in substantial damage to the principal structure on the private property.
 - c. The collapse or potential collapse of a storm water structure which is likely to result in substantial damage to principal private structures on

adjoining properties.

- c. The Roads and Public Works Committee shall develop its recommendation after considering an assessment memorandum from the Village Manager and the availability of budgeted funds to assume public responsibility. The recommendation may be:
 - a. The classification as a Private Drainage Watercourse shall remain unchanged; or
 - b. The classification as a Private Drainage Watercourse shall remain unchanged but with a priority to reclassify as a Public Drainage Watercourse as soon as Village funds are available; or
 - c. The Private Drainage Watercourse shall be reclassified fully or in part as a Public Drainage Watercourse.
 - d. Any other recommendation found by the Committee to be appropriate (such as sharing cost).
- d. The recommendation of the Roads and Public Works Committee shall be referred for action by the Village Council.