

TOWN OF BERMUDA RUN

STORMWATER DRAINAGE AND MANAGEMENT POLICY

Purpose:

It is the policy of the Town of Bermuda Run that all stormwater drainage facilities within the public right-of-way must be properly maintained to ensure adequate efficiency of municipal stormwater systems. In order to accomplish this goal, under the direction of the Town Manager, the guidelines for such maintenance will be as follows:

General Regulations:

1. The Town of Bermuda Run shall maintain only the stormwater drainage facilities which are generally in the Town maintained street rights-of-way with exception to culverts and head walls under driveways within the rights-of-way; stormwater drainage facilities which are in permanent stormwater drainage easements conveyed to and accepted for maintenance by the Town; and stormwater drainage facilities which are on Town property. All other stormwater drainage facilities shall be the responsibility of the property owner(s).
2. When stormwater drainage facilities have been placed or will be placed by others within Town maintained rights-of-way or within other Town maintained stormwater drainage areas, the Town requires that an encroachment agreement be obtained and the Town also has the right to require such drainage facilities be removed or brought up to Town standards and specifications under the following conditions: 1) the facilities do not meet Town standards or requirements as determined by the Town Engineer; 2) where it is determined that these facilities are a detriment to Town streets or other Town property; 3) that the facilities endanger the public; and 4) where stormwater drainage facilities result in the need for frequent maintenance work or repairs. The removal or upgrading of such facilities and the cost of the removal and/or upgrading is the responsibility of the individual property owner. Stormwater drainage areas and facilities constructed in these areas to handle stormwater must be approved by the Town Manager or his designee.
3. The North Carolina Department of Transportation (NCDOT) is responsible for stormwater drainage facilities on NCDOT rights-of-way, easements or property.

4. The prioritization of corrective measures for the stormwater problems which are the responsibility of the Town will be based on the following criteria:
 - a. Loss of life; Reduction in Public Safety or Damage to Town Property
 - b. Major Property Damage
 - c. Potential for Major Property Damage
 - d. Minor Property Damage
 - e. Potential for Minor Property Damage
 - f. Minor Nuisance Flooding
 - g. Public/Private Partnering for Project
5. It is the Town's intention to be a good and responsible neighbor. Where there exists a storm water drainage problem which needs to be corrected, as determined by the Town, on public rights-of-way or on other Town maintained stormwater drainage facilities, and the adjoining or adjacent property owner(s) requests improvements over and above the minimum improvements which are necessary to mitigate said problem as determined by the Town, then the Town has the discretion to allow the additional improvements be made with an agreement from the property owner(s) to be responsible for all additional costs associated with the improvements over and above the minimum necessary improvements. The Town will consider those requests based on the priority rating system and available funding. The Town may also request easement acquisition for these types of projects.
6. The Town's acquisition of Town maintained stormwater drainage easements and/or the cleaning, construction, or repair by the Town of stormwater drainage facilities does not constitute a warranty against stormwater hazards, including, but not limited to, flooding, erosion, or standing water.