

RESOLUTION 2022 – 020

A RESOLUTION ADOPTING A POLICY FOR MAINTENANCE OF CITY DRAINAGE EASEMENTS AND STRUCTURES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Powder Springs (the “City”) provides stormwater management services the extent of which is limited to the public rights of way and on public properties throughout the City; and

WHEREAS, the City desires to put in writing the its practices pertaining to stormwater management services, which is consistent with surrounding local governments, in order to explain the delivery of said services;

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Powder Springs the following policies apply to the City’s stormwater management services relating to the maintenance of City drainage easements and structures:

1. The City will maintain storm drainage pipes and appurtenant drainage structures to the first junction box or discharge point that are dedicated to the City on a final plat via a storm drainage easement, signed and approved by the City, and that provide drainage from the public right-of-way. These pipes and structures are to be maintained until it enters the first structure that combines with a private system. Future plats will designate other easements for stormwater conveyance as drainage easements on the final plat.
2. The maintenance of such storm drainage pipes and appurtenant structures via storm drainage easements shall be performed by the City to the extent necessary to ensure the free flow of storm water through, or proper functioning of, said stormwater drainage easements and structures.
3. The City will not be responsible for construction, design, reconstruction or redesign of City storm drainage pipes or structures via storm drainage easements in order to accommodate or control stormwater run-off produced by: (1) natural gravitational or topographic conditions, or (2) increased stormwater run-off from improvements constructed upon, or alterations to, private properties.
4. The City will enforce its regulations and ordinances prohibiting the placing of obstructions in City stormwater drainage easements and structures. If unpermitted obstructions are placed within any easement they will be required to be removed. If a variance is granted for this provision by the Mayor and Council, the structure will need to be constructed in a way that will allow it to be relocated and the applicant/owner must sign an indemnification agreement at time of permitting. Any structures allowed by variance are considered at risk per item 8 below.
5. The City will not maintain open drainage easements. Maintenance of open drainage easements and driveway culverts are the responsibility of the property owner.

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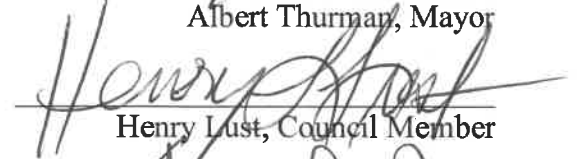
6. The City will not maintain detention or retention ponds or associated structures not specifically dedicated and accepted by the City by resolution or located on land owned by the City. The City will maintain detention or retention ponds specifically dedicated and accepted by the City by resolution or located on land owned by the City.
7. The City will not maintain any drainage easements (to include storm drainage easements) where the final plat or Subdivision Restrictive Deed and Covenants specifically states that the drainage easements are the responsibility of the Homeowner's Association or other non-City/private entity.
8. All plantings and structures, including fences, placed within any (to include storm drainage easements) recorded drainage easement are considered "at risk" in the event maintenance must be performed.

BE IT FURTHER RESOLVED that this resolution shall be effective upon approval.

SO RESOLVED this 21st day of February 2022.



Albert Thurman, Mayor




Henry Lust, Council Member



Doris Dawkins, Council Member



Dwayne Green, Council Member

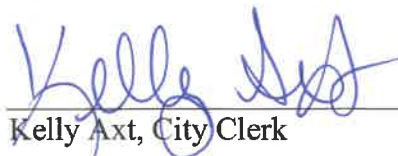


Patrick Bordelon, Council Member



Patricia Wisdom, Council Member

Attest:



Kelly Axt, City Clerk