Coon Creek Watershed District

RULES  Version Date 3/9/09

13.0 MAINTENANCE

13.1 Policy  Every person owning property through which a ditch or watercourse passes, or such person's lessee, shall keep and maintain that part of the ditch or watercourse within the property, free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, obstruct or significantly retard the flow of water, or access for maintenance or repair of the watercourse.

In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

13.2 Maintenance Plan  A maintenance plan must be submitted for stormwater treatment ponds, outlet structures for such ponds, culverts, outfall structures, and all other stormwater facilities required under these rules.

Maintenance Plan: The design and planning of all stormwater management facilities shall include detailed maintenance and repair procedures to ensure their continued function. These plans will identify the parts or components of a stormwater management facility that need to be maintained and the equipment and skills or training necessary.

Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.

Landscaping plan: The applicant must present a detailed plan for management of vegetation at the site after construction is finished, including:
Who will be responsible for the maintenance of vegetation at the site and
2. What practices will be employed to ensure that adequate vegetative cover is preserved.

The maintenance plan must specify the
1. Parts or components of a stormwater management facility that need to be maintained
2. Methods (detailed maintenance and repair procedures to ensure continued function of the stormwater feature)
3. Schedule
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**13.3 Maintenance Agreement**

A maintenance agreement is required for all stormwater facilities that will not be maintained as part of standard municipal public work activities. The maintenance agreement must include the elements required in the maintenance plan cited in section 13.1 of these rules.

**13.4 Recording of the Maintenance Agreement**

The applicant must record the maintenance agreement with the county recorder/registrar before any land-altering activity occurs on the site. Applicant/permittee must then provide the District a copy of the recorded document.

**13.5 Failure to Maintain Practices**

If a responsible party fails or refuses to meet the requirements of the maintenance agreement, the District, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing necessary work to place the facility in proper working condition and charge the responsible party.

**13.6 Annual Inspection of Stormwater Facilities**

For all stormwater facilities that will not be maintained as part of standard municipal public work activities, the Responsible parties for maintenance shall inspect all stormwater management facilities under their jurisdiction by July 30 of each year. The purpose of the inspection will be to document maintenance and repair needs and ensure compliance with the requirements of this rule and accomplishment of its purposes.

These maintenance and repair needs may include: removal of silt, litter and other debris from all catch basins, inlets and drainage pipes, grass cutting and vegetation removal, and necessary replacement of landscape vegetation.

Any maintenance needs found must be addressed in a timely manner, as determined by the District, and the inspection and maintenance requirement may be increased as deemed necessary to ensure proper functioning of the stormwater management facility.

**13.7 Right of Entry for Inspection**

When any new drainage control facility is installed on private property, or when any new connection is made between private property and a public drainage control system, sanitary sewer or
combined sewer, the property owner shall grant to the District the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection of the stormwater feature(s) on the property. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this rule is occurring or has occurred, and to enter when necessary for abatement of a public nuisance or correction of a violation of this rule.

13.8 Records of Installation and Maintenance Activities

Parties responsible for the operation and maintenance of a stormwater management facility shall make records of the installation and of all maintenance and repairs, and shall retain the records for at least five years. These records shall be made available to the District during inspection of the facility and at other reasonable times upon request.