

## **1.0 POLICY ON DRAINAGE EASEMENTS**

### **1.1 Policy**

To reserve areas on, along, and/or adjacent to natural and/or man-made drainage facilities by dedication, land reservation, grants, and/or acquisition.

### **1.2 Purpose**

To promote and protect the efficient, effective and environmentally sensitive conveyance of stormwater and to provide for on-going maintenance of drainage facilities.

### **1.3 Easement Identification**

Storm Drainageways which are not dedicated for Town maintenance as Public Storm Drainage Easements shall be identified on Plats and Deeds as “Reserved Storm Drainageway”, and shall be reserved from any development which would obstruct or constrict the effective conveyance and control of stormwater from or across the property.

### **1.4 Requirements For Different Kinds of Easements.**

#### **1.4.1 Easements Along Man-Made Drainage Infrastructure**

Easements shall be required along all existing, proposed, renovated, altered or reconstructed ditches, pipes, culverts, channels, ponds, lakes and similar infrastructure which are related to and/or necessary for the conveyance and/or control of stormwater.

#### **1.4.2 Easements Along Natural Drainageways**

Easements shall be required along natural drainageways, lakes, and/or ponds which are determined to be necessary for conveyance and/or control of stormwater to benefit and protect the community.

#### **1.4.3 Easements Along Regulatory Floodplains And Resource Conservation Districts.**

Unless required by sections 4.1 or 4.2, storm drainage easements generally will not be required along Regulatory Floodplains and Resource Conservation Districts. (Note: Land within these areas is typically reserved as open space or parks and recreation land.)

### **1.5 Access To Stormdrainage Easements And Facilities**

Direct, reasonable, and convenient access shall be provided to all public stormdrainage easements and/or facilities to be maintained by the Town.

### **1.6 Easement Size and Locations**

The size and location of drainage easements shall be determined by the Town Manager, as necessary, on a case by case basis.

### **1.7 Retroactive Stormdrainage Easement Acquisition**

Through grants, gifts and capital improvement programs, the Town may acquire stormdrainage easements along existing manmade/natural drainage conveyances and/or facilities, where such conveyances and/or facilities are deemed necessary to promote the health, safety and/or welfare of the community.