

POLICIES
CITY FINANCIAL PARTICIPATION IN THE
MARION NEIGHBORHOOD DRAINAGE IMPROVEMENT PROGRAM
Adopted November 20, 2014

The City of Marion recognizes that there may be some areas within the Marion City Limits, including private property, that do not have positive drainage of stormwater to drainage easements, the City storm sewer system, or natural drainageways. For health and safety reasons, the City has implemented the Marion Neighborhood Drainage Improvement Program to provide residents with a public/private cost share program to, where and if necessary, help improve drainage conditions. This program reimburses property owners the cost of installed draitile materials.

Many factors should be taken into consideration when determining how to address any issue of stormwater drainage. Re-grading land or adding a draitile system can help or add to an existing stormwater drainage problem. Other methods of managing or controlling stormwater should be considered; such as dry wells, rain gardens, rain barrels, and soil quality restoration.

The City of Marion recognizes that individual property owners are responsible for their own property and takes no responsibility for stormwater on private property, but does feel that a public/private partnership could be useful in some situations. The City also respectfully requests the understanding from residents that rain water will collect in shallow low spots of any yard or field, and may remain there for up to seventy-two (72) hours after a rain event. This pooling of rain water is natural and is not necessarily an indication of a drainage problem.

The policy is as follows:

- 1) In excessively wet areas (areas with very high water table springs, etc.) the City will install drain tile ("French drains") behind the curbs in the city right-of-way ("parking"). The City Council will select projects on a priority basis within budgetary constraints (see #3 below).

In such projects, the City will be responsible for driveway removal and replacement of a maximum of a four foot (4') wide area from the back of curb for drain tile installation, unless otherwise determined by the City Engineer for engineering reasons. The City will be responsible for seeding grass areas of the right-of-way in which drain tile is installed.

- 2) In areas of backyard or side yard flooding/drainage problems involving multiple lots, the City will reimburse property owners the cost of materials installed to improve regional stormwater flows as determined by the City Engineer. The property owners are responsible for installing the drain tile at their expense (they may install the tile themselves or contract for the work to be done). The City may provide technical assistance on an advisory basis to the neighborhood through the Engineering Department. Before the City provides the drain tile, all affected property owners must agree with the proposed project. The City Council will select projects on a priority basis

within budgetary constraints (see #3 below). The property owners will be responsible for maintenance of the drain tile after installation.

- 3) The City intends to allocate \$40,000 annually from the Stormwater Utility Fees to finance projects described in Paragraph 1 above. Of that, \$5,000 annually will be available for projects described in Paragraph 2 above.
- 4) The City is 100% responsible for all projects (except in new subdivisions) involving full-scale storm sewer or other major improvements (retention basis, berms, etc.).
- 5) Existing City policies regarding new subdivisions and encasement of open ditches will continue in effect.
- 6) In areas served by drain tile systems (either at the curb or through back yards), the City may require property owners to connect sump pump outlets to the drain tile. Down spouts or gutters may not connect to the drain tile.

Procedures, Program Requirements, and Conditions of Neighborhood Drainage Assistance

- Upon request by Marion residents, Marion Engineering Department Staff will meet with the residents to assess drainage problems and, if possible, determine options for a course of action.
- If the residents wish to apply for financial assistance for a neighborhood drainage project, all affected property owners must agree with the proposed project, and all requests must be submitted on the Application for Neighborhood Drainage Assistance form. Application forms are available from the Marion Engineering Department.
- One of the applicants must be designated on the application as the Neighborhood Contact.
- The original application must be submitted to the Marion Engineering Department. Electronic submission of applications will not be considered. Applicants are encouraged to make copies of the application for their own records.
- The Stormwater Advisory Committee will meet on a quarterly basis to evaluate each request received during the quarter. The schedule of these meetings can be found on the City of Marion Website. Priority will be given to applications involving multiple residential/home owner impact and areas with standing water for over seventy-two (72) consecutive hours after a rain event.
- City Staff will contact the Neighborhood Contact within 30 days of the Stormwater Advisory Committee meeting to notify them of the status of their application.
- For approved applications, drawings/plans must be provided to the Marion Engineering Department prior to construction for review by Department Staff to verify compliance with standards and specifications as defined in the Municipal Code, Iowa Drainage Law Manual, Iowa Stormwater Manual, and/or Statewide Urban Design and Specification (SUDAS). A Memorandum of Agreement shall be prepared by the City and signed by all affected property owners upon agreement of an approved plan.

- The City will not provide elevation staking, equipment, grading, labor or other materials for installation of draitile. The City will not provide reimbursement for the cost of elevation staking, equipment, grading, labor or other materials for installation of draitile. No inspections will be provided except where connections are to be made to existing City sewer systems. Applicants are responsible for notification of the Engineering Department for necessary inspections.
- A Street Occupancy permit with associated fees must be on file for any work within the City right-of-way.
- Installation shall be made according to the approved plan. An "as-built" drawing shall be submitted to the City upon completion of the plan for permanent records.
- Sump pumps shall be directly connected to new tile systems. Downspouts or gutters may not connect to the draitile.
- Residents will pay the contractor and provide the City with proof of payment including a waiver of lien from the contractor, cancelled check, itemized receipt and certified payroll if applicable. After review and acceptance of all documents, the City will reimburse the Residents for draitile material.
- Neighborhood drainage projects will be funded on first-come-first-served basis.
- The affected property owners will be responsible for maintenance of the drain tile after installation. At the discretion of the City Engineer, a written agreement may be required.

The Iowa Drainage Law Manual, the Iowa Stormwater Manual, and SUDAS were developed to provide more detailed information on stormwater drainage. These manuals are available at:

http://www.ctre.iastate.edu/pubs/drainage_law

<http://www.iowadnr.gov/Environment/WaterQuality/WatershedImprovement/WatershedBasics/Stormwater/StormwaterManual.aspx>

<http://www.iowasudas.org>

The following are some examples of conditions or circumstances that are not eligible for funding through the Marion Neighborhood Drainage Assistance Program:

- Rental or income property.
- Properties outside the Marion Corporate Limits.
- New construction or remodeling that requires storm water control measures, such as buildings and structures less than 10 years old, or at the discretion of the City Engineer, where grading contractors or landscaping contractors caused a problem with the flow of stormwater through an area or did not adequately provide for the flow of stormwater through an area.
- Diverting or redirecting the discharge of sump pumps or downspouts.
- Maintenance and repair of existing storm sewer systems.
- Problems caused by severe precipitation events.

The City of Marion reserves the right to deny participation in the Neighborhood Drainage Assistance Program for any reason. A resident may appeal a denial to the Stormwater Advisory Committee.

At no time does the City of Marion relieve the resident of their responsibilities under Municipal Ordinance Code, Federal, State, and/or County stormwater regulations. Residents choosing to install stormwater drainage facilities without financial assistance from the City of Marion will follow existing Municipal and State of Iowa code and requirements. By contributing to the funding of this neighborhood draitile project, the City of Marion does not provide any warrantee of or assume any liability for the design, installation, or operation of said draitile.