

STORMWATER MANAGEMENT

Chapter 12

STORMWATER SYSTEM MAINTENANCE

Sec. 1201. MAINTENANCE OF DETENTION/RETENTION FACILITIES

A. **General.** Stormwater facilities shall be maintained in accordance with the stormwater system maintenance plans as required by these standards. Maintenance plans, responsibilities and the method of financing said maintenance of detention/retention facilities shall be established prior to approval of any development action.

1. **Minimum Standards.** The following are the minimum standards for the maintenance of stormwater facilities:

- (a) Facilities shall be inspected on the schedule as described in the Maintenance Plan.
- (b) Grassy swales and other biofilters shall be inspected on the schedule described in the Maintenance Plan
- (c) Where lack of maintenance is causing or contributing to a water quality problem, immediate action shall be taken to correct the problem.
- (d) Disposal of waste from maintenance activities shall be conducted in accordance with the Maintenance Plan.
- (e) Maintenance activities not covered by an approved maintenance and operations manual shall be as shown in Appendix A, which is taken from the King County, Washington Surface Water Design Manual. The City of Ferndale Public Works Department or other agencies with jurisdiction in Ferndale shall replace the appropriate agencies stated in section Appendix A.

Inspection of the stormwater system to determine maintenance needs shall be performed at least once annually, or at the discretion of the Public Works Director. The party or parties responsible for inspection and maintenance shall be the same as those described in Sec. 1201.A.2.

2. **Financial Responsibility.** Property owners are financially responsible for the inspection, maintenance, operation, or repair of stormwater drainage systems not specifically accepted by the City through the development process. Property owners shall maintain, operate, and repair these facilities in compliance with the requirements of the Maintenance Plan and these standards. Financial responsibility includes reimbursing the City for its costs to perform routine inspections to verify compliance, as described in the Maintenance Plan.

B. Inspection/Compliance Program

1. **Inspection.** The City is authorized to inspect during regular working hours and at other reasonable times all stormwater drainage systems to determine compliance with the provisions of the Maintenance Plan. The person or persons designated in the Maintenance Plan as having inspection responsibility shall maintain appropriate records of all inspection activities and of all maintenance activities. These records shall be made available to the Public Works Director on request for review for compliance.
2. **Compliance.** If the City, upon inspection of the stormwater system finds deficiencies, the City will first make a reasonable effort to locate the owner or other person(s) having charge or control of the property or portions of the property and request corrections of the situation.

If, after reasonable period of time the deficiencies are not corrected and there is reason to believe the condition of the stormwater drainage system creates an imminent hazard to persons or property, the City may execute corrective measures. Following completion of all corrective measures, the City will submit an itemized billing for all costs to the responsible party for reimbursement.

- C. City Maintained Facilities.** If the City Council determines that it is in the best interest of the City of Ferndale that the City should assume maintenance responsibility for a retention/detention facility, the City shall assume the maintenance of the retention/detention facilities after the expiration of the two-year maintenance period, provided all of the following have been met.

1. The bonding requirements in Chapter 5 of these Standards have been fulfilled.
2. The facilities have been inspected and approved by the Public Works Director at the time of acceptance.

3. All necessary easements entitling the City to properly maintain the facility have been conveyed to the City and recorded with the County Auditor.
 4. The method of financing and payment for all maintenance efforts is accepted and approved by the City.
- D. **Privately Maintained Facilities.** If the above conditions are not met, or if for other reasons, the City does not assume maintenance responsibility for the retention/detention facility, it shall be the responsibility of the developer to make arrangements with the occupants or owners of the subject property, for assumption of maintenance in a manner subject to the approval of the Public Works Director. Such arrangements shall be completed and approved prior to the end of the two (2) year period of the developer's responsibility or in the case of plats, prior to the time of recording.

Sec. 1202. MAINTENANCE OF EROSION-SEDIMENTATION CONTROL FACILITIES

- A. **General.** Temporary Erosion-Sedimentation Control facilities shall be satisfactorily maintained until the clearing and/or construction is completed, the permanent drainage facilities are operational, and the potential for on-site erosion has passed.
- B. **Maintenance Responsibility.** It shall be the obligation and responsibility of the persons required to provide such temporary erosion-sedimentation control facilities to maintain them in a satisfactory condition and remove them when no longer needed.