



City of Waverly

Building & Zoning Department
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Homeowner Responsibilities & Rights Regarding Storm Water Drainage

City of Waverly building department reviews development and building plans including drainage design. However, the primary responsibility for drainage belongs to the property owner. If a neighbor changes the landscaping of their property and reroutes the storm water runoff in a way that could damage your property, it becomes a civil matter between neighbors. Storm water runoff is defined as precipitation from rain, snowmelt or home ejection pumps that flows over the ground.

Problems can be avoided if the property owner is aware of how their property was designed to drain. Owners must also be aware of any drainage easements on their property.

If you are downstream of any storm water flow, you must accept the water flowing from higher ground through a natural drainage channel.

- Do not increase the rate of flow or volume of runoff
- Do not redirect or concentrate the flow of runoff. When adding features to your property, make certain that you or your contractor consider the flow of runoff
- Do not enclose a drainage swale into a pipe without consulting an Engineer. Improperly sized pipe can create concentration of the flow, which may cause damage to yours or your neighbor's property. Open swales are the best environmental solution to storm water, when the storm water infiltrates or drains within 24 hours.

Preventing flow restrictions in drainage channels is important to ensure proper drainage.

- Keep the swale or flow liner clear. Never put grass clippings in or near a stream or swale.
- Never plant trees in a swale
- Maintain and control vegetation in the swale
- Do not erect any structures or fences near a swale or flow liner which may restrict the storm water flow.

Homeowners are responsible for any drainage channels or low flow liners which are located on or adjacent to their property. Part of this responsibility includes keeping the flow of water unrestricted by clearing and removing any vegetation or soil from the flow liner. If a fence is erected in a way that prevents maintenance of the flow liners, the removal of the fence may be required.

Water that is pumped from a residence should be moved in a way so as not to create a safety hazard. If water is pumped over a sidewalk it cannot be allowed to form algae or slick spots where pedestrians may be able to slip and fall. Pipes moving water are not allowed to cross a sidewalk as they

produce a tripping hazard. If water must be moved over a sidewalk it is only allowed as a temporary solution not to exceed 48 hours (§8-201). If conditions exist for more than 48 hours then a permanent solution to water drainage needs to be made.

Ponding and Stagnate water

It is the responsibility of the property owner to prevent the ponding of water in areas not designed for water detention. Property owners must maintain grading so that water will runoff as designed. If water becomes stagnate it is the responsibility of the property owner to remove the water by means of grading, pumping or other methods to ensure a health hazard is not created. When water becomes stagnate for an extended period of time it becomes a breeding ground for mosquitoes and other insects that may carry infectious diseases. Ponding water cannot be used as an excuse for allowing vegetation to grow taller than the 12" maximum height allowed by the City of Waverly Code (§8-110).