

Drainage Around Your Home

Development of land and construction can alter many natural features of existing landscape. When construction occurs, areas of “impervious” surfaces such as roofs, driveways, streets and sidewalks replace pre-existing trees and other vegetation. The end result is less vegetation to soak up, store and evaporate the water. There are signs a home owner can look for and solutions can help reduce drainage problems. Some problems may include:

Compacted Soil– In some developments, most of the topsoil and part of the subsoil are removed during construction and not replaced at finish grade. The subsoil may be densely compacted and often cannot allow excess water to infiltrate (soak) into it. If the soil has a dense layer, especially a layer of clay or severely compacted layer, the restricted water flow through the soil may cause water to pond or stand. Use a soil aerator to increase infiltration and reduce surface ponding. Also consider deep-rooted, drought-resistant grasses and plants. As the new landscape and vegetation develops, drainage is likely to improve.

Irrigation Management– Due to the amount of irrigation required for sod or seed establishment and compacted soil conditions common in newer developments, areas of standing water may be observed during the first few years of vegetation establishment.

Drainage Around Your Home

Roof Drains– Be sure roof drains are properly fitted with downspouts that will release water away from your foundation/home. Placing splash guards or pads at the end of a down spout may help prevent the concentration of roof water from seeping into the ground next to a foundation.

Natural Ground Water

High Water Table, Springs, Seepage– The water table can be defined as the upper surface of groundwater or the level below the ground surface where the soil is saturated with water. This level may fluctuate by several feet throughout the year, depending on soil conditions, landscape, or weather.

Natural springs and seeps occur due to existing geology and landscape characteristics. Water may flow throughout the year, seasonally, or intermittently with no apparent consistency. It may flow around homes constructed near a spring or seep. If a high water table, spring or seep exists, a gravity or sump pump may need to be installed. Also consider a collection of water loving plants or landscaping.

Stormwater Management

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Who do I contact about drainage concerns on my property?

In most cases, drainage maintenance on new lots, the prime responsibility is the private property owner and/or Builder. If you require assistance, please contact the Stormwater Management Department at 636-281-2858 or email at stormwater@ofallon.mo.us. You will be asked a few general questions to determine if:

1. There is a/any City responsibility;
2. It is a private property issue; or
3. It is an issue between you and your builder/developer

Your concern will be forwarded to the Stormwater Management Coordinator who will then conduct a site visit. Staff may be able to give you ideas to help identify the best solutions to your particular home drainage problem.

If expert assistance is required, the services of a competent professional should be sought. Contractors that specialize in drainage problems are listed in the yellow pages under *Drainage, Contractors, Landscape Contractors, Waterproofing Contractors, Irrigation, etc...* If you plan to contract out the work, the City recommends that you get more than one estimate, carefully evaluate different alternatives, and choose a contractor that will guarantee the work.

Stormwater Management

LOT GRADING AND DRAINAGE



This brochure has been prepared to provide information for homebuilders, developers and residents with respect to lot grading and drainage on residential lots.

Most “drainage concerns” brought to the attention of the City staff are private property issues and outside the authority of local government.

-  **Why is proper lot grading important?**
-  **Final grading responsibility?**
-  **What is a drainage/utility easement and who maintains it?**
-  **Drainage around your home**
-  **Who do I contact for a concern?**
-  **Drainage Challenges**

Why is proper lot grading important?

When a home is constructed, it is essential that the lot is graded properly to ensure that the surface drainage is directed away from the home and that it does not cause any problems or damage to neighboring properties. Proper grading should allow surface runoff to reach the natural drainage area, swale, inlet or other installed stormwater structure.

What is the Builder's Responsibility?

The Builder is responsible for final grading on individual lots. The Builder purchases lots from a Developer then sells the home and lot to the purchaser/homeowner. The builder is responsible for constructing your home, grading and seeding or sodding the lot, driveway, erosion and sediment control for his purchased lots, and maintaining clean roadways as well as a clean building site.

Building permits are issued with the understanding that the Builder will complete proper final grading for the entire lot. Surface drainage must be diverted to an adequate point of collection.



What is the Homeowner's Responsibility?

It is the homeowner's responsibility to evaluate the condition of the final lot grading.

Concerns should be dated and documented, listed on a final punch list, and resolved with the Builder. Homeowners may consider including proper grading and drainage in the home building contract and one-year home warranty. The City suggests that any drainage issue be brought to the Builders attention sooner than later.

City Responsibility– The Building Department and Construction Inspection inspects the grade and the area immediately adjacent to the home/building. The Engineer is to make sure that the grade matches the approved construction and grading plans. A “Certified Engineering Letter/Certificate” is required by City ordinance for each lot by an Engineer hired by the Builder to verify that the lot has been graded per plan and is correct. Once this letter is received, the lot escrow being held is released.

The City of O'Fallon Building Department does not formally inspect final grade, the Engineer hired by the Builder is required to do this with the “Certified Engineering Letter” and the City cannot utilize taxpayer funds to solve individual problems or private disputes between builders and private property owners.

What is a drainage/utility easement and who is responsible for maintaining it?

There are numerous easements dedicated for various purposes on private property. A drainage easement is intended to provide access and an area for the installation and repair of stormwater conveyance structures.

The City does not maintain these easements.

They are on private property which is maintained by the homeowner or homeowners association.

The only exception is if a public drainage structure such as a pipe, inlet, box culvert, etc. has been placed within the ease-



ment and is part of the City stormwater system to convey water. If this is the case, the City will maintain the improved drainage structures only. The responsibility for non-structural maintenance within a drainage and utility (mowing, clearing, etc) lies with the property owner.

The City strongly encourages homeowners to keep easements clear of obstacles that may impede surface water flow and result in drainage problems on surrounding lots, such as sheds and fences. Valuable landscaping within an easement should be minimal in the event maintenance of a drainage structure or utility is required. Such items may require removal.

Undisturbed Drainage Easements

Such easements are protected and not to be cleared or have structures built in them. The only exception to this is if a public structure is placed within this easement and needs to be repaired or replaced. Non-structural maintenance (tree removal, excess vegetation, channel blockage) lies with the property owner.

Drainage Challenges

Every rainy season creates additional tasks for staff with regards to drainage and stormwater runoff across private property lines. Many homeowners call staff to help deter their neighbors from draining stormwater onto their property. There are no specific ordinances addressing this issue. We do have ordinances addressing blockage of drainage.

The California Rule: *Keys v. Romley* 196 664 Cal. 2d 396

An upper landowner is entitled to discharge surface from his/her land as the water flows. If however, he/she modifies the natural flow, he/she is liable for any damage done to the lower landowner unless the lower landowner has acted “unreasonably” in altering the natural drainage over his/her land. The determination of whether either landowner's conduct is reasonable or unreasonable is a question of fact to be determined in each case, but generally it is not unreasonable for a lower landowner to fail to take affirmative action to protect his/her property.