



100623

MEMORANDUM

To: Public Works Committee

From: Carl S. Goldsmith, Director of Public Works *CJ*

Date: November 1, 2010

Subject: **Policy on Ditch and Culvert Maintenance**

The Department of Public Works requests that the Public Works Committee provide a policy recommendation to the Village Board regarding the Village's responsibility to maintain ditches and culverts in the public rights-of-way. No formal policy has previously been established. This issue is increasingly important since the Village has annexed areas with ditches over the last few years and many of the future annexation areas also have ditches.

The Village will not take responsibility for a ditch or culvert on private property unless it is in a dedicated easement and the Village Board has specifically accepted ownership and/or maintenance responsibility for it. To date, there are no such obligations on private property.

Staff requests that the Public Works Committee recommend the attached draft policy to the Board of Trustees.

attachment: draft policy

H:\PW\Asst Director\Stormwater\Ditches\Ditch & Culvert Maintenance Policy.doc

CG:DG/dg

VILLAGE OF LOMBARD
VILLAGE BOARD POLICY MEMORANDUM

DRAFT

Subject: **Public Works Policy on Ditch and Culvert Maintenance**

Number: _____
Date: _____

I. Purpose

The purpose of this policy is to establish the Village of Lombard's responsibilities for maintaining ditches and culverts in Village rights-of-way. The Village has no responsibility to maintain a ditch or culvert on private property unless the Village Board of Trustees has formally accepted such responsibility for a specific property. This policy explains the division of responsibilities between the Village and the adjacent property owner. The Department of Public Works will respond to requests for service in accordance with this policy and as budgeted funds allow.

II. Procedures/Guidelines

A. Village Responsibilities:

- (1) Maintaining ditches and culverts in public rights-of-way to convey flow during rainfall events.
- (2) Removing major (i.e. large, heavy, or unwieldy) debris from ditches and culverts. This includes all fallen limbs and trunks from public trees but not private trees except as provided for by the Village's Debris Management Policy.
- (3) Repairing erosion damage in ditches due to flow conveyance.
- (4) Repairing or replacing failed culverts and the driveway aprons over them in public rights-of-way.

B. Adjoining Property Owner Responsibilities:

- (1) Routine maintenance of ditches and culverts, as with the rest of the parkway. This includes, but is not limited to; mowing, fertilizing, aerating, watering, over-seeding and re-establishing grass that dies due to lack of maintenance.
- (2) Removing minor debris from ditches and culverts. This includes, but is not limited to, grass clippings, leaves and trash.
- (3) Removing all fallen limbs and trunks from private trees except as provided for by the Village's Debris Management Policy.
- (4) Repairing erosion damage in ditches that is not due to flow conveyance.
- (5) Installing or replacing a culvert that is associated with a new Minor Development or Major Development, as defined by the Village's Subdivision and Development Ordinance. The new culvert must be installed with a building permit per Village specification.

C. Shared Responsibility:

Dual responsibility for removing fallen limbs and trunks from trees that are on the boundary between the Village and the adjoining property. Illinois law on the topic identifies that both parties are equally responsible for the tree.

III. Legislation/Documentation

Minutes of _____ Public Works Committee
Minutes of _____ Board of Trustees Meeting