Learn More - References and Resources

Ohio Drainage Law Bulletins – OSU Ohioline
http://ohioline.osu.edu/b822/index.html

Ohio Stream Management Guide
"Who Owns Ohio's Streams?" Guide No. 02

http://www.dnr.ohio.gov/water/pubs/#anchor1683462

1952 Belcher Cr. 614/265-6791
Building C-1
Columbus, Ohio 43224-1386

"Drainage Around Your Home"
Hamilton County Soil & Water Conservation District
www.hcswcd.org or 29 Triangle Park Dr.
Cincinnati, Ohio 45246 513/772-7645

Storm Drainage System Rules and Regulations for the Unincorporated Areas of Hamilton County
http://www.hamilton-co.org/pubworks/hcpw_sds.asp

Vegetated Buffers
http://lakewhatcom.wsu.edu/gardenkit/Lakescaping/RiparianPlanting.htm

Rain Gardens and Rain Barrels
http://www.cwp.org/Community_Watersheds/brochure.pdf and
http://www.saludareedy.org/resources/resourcesandreports.html

Porous Pavement
http:/www.perviouspavement.org or
http://www.onlypaving.com

Contact us at:

Department of Building Inspections 513-946-4520
http://www.hamilton-co.org/hcbi/

Department of Public Works 513-946-4750
http://www.hamilton-co.org/pubworks/

Hamilton County Soil & Water Conversation District
http://www.hcswcd.org/ 513-772-7645 or 772-SOIL

Brochure developed by Hamilton County

Printing provided by the Hamilton County Storm Water District

Hamilton County, Ohio

Home Owner Brochure

Information for new home owners on their responsibilities and rights regarding storm water drainage.

Hamilton County
Department of Building Inspections
Department of Public Works
Soil & Water Conservation District

Dear Home Owner:

April 2007

Storm water drainage issues are one of the most common complaints received by many county agencies from private land owners. In Hamilton County, the varied topography can aggravate the problem.

County and local government agencies are responsible for reviewing development and building plans to assure that proper drainage does exist. **However, once the property owner receives the final Certificate of Occupancy, the County's authority ends.** If your neighbor installs a pool or landscaping and reroutes the storm water runoff that could damage your property, it becomes a civil matter between neighbors.

As Ohio has undergone the strains of urban and rural development, the courts have continuously modified the way in which they apply the law to issues of storm water drainage. *Reasonable use* doctrine has evolved to provide flexibility and practicality to the application of Ohio's drainage laws. The *reasonable use* doctrine essentially provides that an acceleration or obstruction of surface water flow should be examined to determine whether or not the change is "reasonable" in each case.

The drainage swale is visible before the grass has grown in. It's called a A-A swale.

The best way to avoid problems is to be aware of where your drainage easements are located.

If you are downstream of anyone, and most of us are, Ohio law says you **must** accept the water flowing from the higher land through a natural drainage channel. Here are some good rules of thumb:

- Do not increase the rate of flow or volume of runoff.
- Do not redirect or concentrate the flow of runoff. When adding fea-

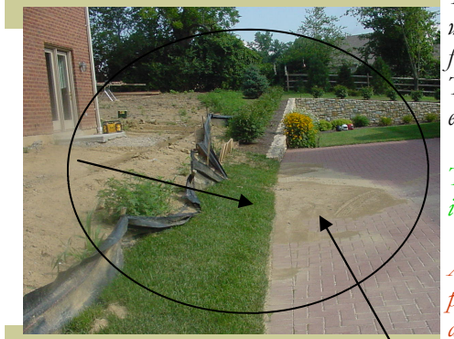
Home Owner's Brochure

tures to you property, make sure you or your contractor consider the flow of runoff.

- If you break it, you buy it! If you block a drainage channel or change the direction of natural flow, you may be responsible and liable for damage caused on another's property.
- No mechanical (sump) pumps are to be tied to the downspout lines that discharge through an underground pipe to the street, curb, or surface.
- Do not enclose a drainage swale into a pipe, before checking with your local Public Works Department. It is important to use the right-sized pipe and to make sure that, by concentrating the flow in a pipe, you will not damage neighboring property. It is better to work with your neighbors, and not push your water problem onto them. Open swales are the best environmental solution to storm water when the storm water infiltrates or drains away within 24 hours.
- When you plan to drain a swimming pool, please be courteous by waiting at least three days after the last dosing of chlorine to drain or back flush your pool. Outlet the pool water to a heavily vegetated area or disperse it with a drainage spreader.
- Downspouts that lead to an underground pipe cannot be "day lighted" or come to the surface above the ground closer than 10' from the property line. This is a requirement for the unincorporated townships and the jurisdictions that are part of the County's Department of Building Inspections. If you live within a village or municipality, check with your local government.

An ounce of prevention will pay off when it comes to maintaining drainage channels.

- Keep the swale clear of brush and logs. Never put leaves, mulch or grass clippings in or near a stream or swale.
- If you live near a water source, plant a buffer of natural vegetation and establish a no mow zone. This will serve as an inexpensive filter of pollutants.
- Maintain and control vegetation in channel or place rock channel protection or dump rock (ODOT type C) in channel to dissipate the energy flow and reduce erosion.
- Never plant trees in the swale.
- If you live adjacent to a stream and have an above ground downspout line, extend this pipe to the stream to avoid erosion.



No swale between these two properties results in soil erosion onto neighboring driveway after a rain.

After years of spreading mulch near a natural swale, a dam has been created restricting water after a heavy rain.

This is a siteplan for a new home which illustrates part of the plan for drainage across the subdivision. The dotted lines show the contour elevations ------822---------

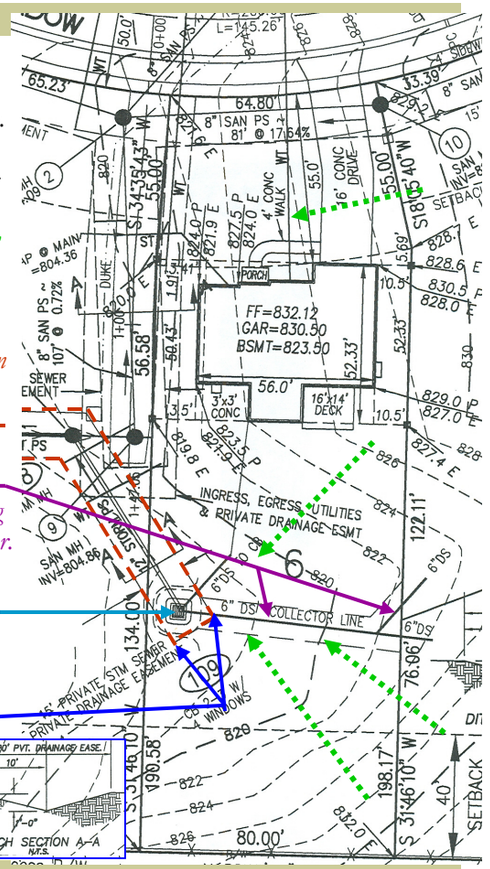
The direction of surface water flow is shown with an ▸

A 15' private storm sewer & private drainage easement is shown across 2 lots with a 12" storm sewer as – – – –

A 6" downspout (DS) collector line shown underground connecting several properties' downspout water.

A catch basin in the backyard is also shown for surface rain water.

*A **A-A** swale is a flood route for rain runoff flowing downhill. It is the homeowner's responsibility to maintain the swale.*



You, as property owner, are responsible for the maintenance of the system designed to take the storm water flowing across and off of your property in accordance with original subdivision plan.

This swale was designed to allow rain runoff from adjoining property to flow toward the street, however, …

the installation of planters and paving above destroyed the natural drainage flow by blocking the swale.