

RILEY TOWNSHIP - ST. CLAIR COUNTY

ARTICLE IX
GENERAL PROVISIONS

SECTION 918. GRADING AND DRAINAGE REQUIREMENTS:

A. INTENT:

The purpose of this Section is to provide a mechanism to guarantee that all requirements of this Section have been met and that adequate drainage is provided to eliminate surface water to flow onto the adjacent properties.

The requirements for grading and drainage shall be as follows:

B. REQUIREMENTS:

1. These requirements apply to but are not limited to the development of any new use, the construction of any new structures, ponds, and any other major earth change.
2. Any activities listed about (but not limited to) shall not block the natural drainage of the subject property or the properties adjacent to the subject property. Projects that effect the natural drainage must be resolved by rerouting the drainage (i.e., swales, ditches, ponds, etc.) as to not cause adverse conditions to the adjacent properties (i.e., run-off of surface water to flow onto the adjacent property, etc.).
3. Natural drainage is the direction of the flow of water as observed during normal spring rains.
4. Each property owner is responsible for their own drainage and the flow of water. If the adjacent properties drain through your property via a natural watercourse, it is your responsibility to maintain the flow of the natural watercourse and/or provide an alternate drainage route(s).
5. When a new building is constructed on a vacant lot the grades of the existing building(s) on the subject property and on properties adjacent to the subject property shall be taken into consideration in order to establish grade. *Grades at homes and other buildings that were built first do not always have the most desirable solution to a drainage problem. Septic and finish grades of the 1970's and earlier are not up to the same specs of today's Health Departments standards. Grades must be looked at on a case-by-case basis*

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6. Removal of the existing ditch bank must have approval from the governing government agency (P.H. 6/13/2011; Adopted 10/4/2011; Published 10/13/2011).
7. Drainage away from the road ditch to a source of natural drainage such as a county drain, a natural watercourse, gully, etc. is the preferred method of handling drainage. Care is to be taken in protecting future projects. The construction of a swale is the ideal way to direct water to an alternate means of drainage. Property owners are encouraged to work with their neighbors to create swales, etc. to correct and or prevent problems.
8. New homes must be built from the plot plan requirements. Grading and drainage must meet the Building Inspector's approval. It may be determined by the Building Inspector that a swale, gully, etc. is necessary and must be installed. In the case of a dispute, it the homeowner's and/or contractors' responsibility at their own expense to gain information to prove otherwise.

C. ENFORCEMENT: GRADING AND DRAINAGE

1. The Building Inspector may determine that it is necessary to require the owner and/or contractor to submit a plan for proper drainage. The Building Inspector may require a registered land surveyor or civil engineer prepare this plan at the owner's and/or contractor's expense.
2. The Building Inspector shall approve the final grades of a new project. The Building Inspector shall inspect all swales, gullies, etc. that have been installed prior to final inspection.
3. The Building Department may withhold a Certificate of Occupancy and/or Performance Bond it deems the grades, drainage and/or the swales, gullies, etc. to be non-complying. In a case of dispute, it is the homeowners and/or contractors' responsibility at their own expense to gain information to prove otherwise.
4. Once all requirements have been met, a Certificate of Occupancy has been issued, and a Performance Bond has been released any change in the existing grade must follow Section 918.
5. In the event that a dispute between neighbors over drainage emerges:

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- a) The Township is not responsible for poor workmanship of grades or the altering of grades after final inspection.
- b) All parties involved should contact the Drain Commissioner's Office and/or Road Commission if the dispute concerns their jurisdiction. Parties involved are responsible for any and all fees associated with said agencies.
- c) It is recommended that all parties try to resolve the problem on their own, as this is the most efficient and least costly method.