

**THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY  
COMMISSION AGENDA ITEM**

**SUBJECT:** Stormwater Financial Planning

**DATE:** ~~July 26, 2023~~ August 18, 2023

**BUDGET INFORMATION:**

REVENUES:

EXPENSES:

ANNUAL:

CAPITAL:

OTHER:

FUNDING SOURCE: N/A

**COMMISSION ACTION REQUESTED ON:** September 5, 2023

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**PURPOSE:**

To request that the Mayor and Commission:

- a. Approve the Extent and Level of Service 3b in the Stantec Stormwater Utility Financial Planning presentation (**Attachment #1**);
- b. Direct the Manager to bring to Mayor and Commission for approval an amended Chapter 5-5 (Stormwater Utility) that reflects the approved Extent of Service; and
- c. ~~Direct the Manager to bring to Mayor and Commission for approval~~ Approve a re-written PW-002 policy that reflects the approved Extent of Service Option (**Attachment #5**).

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**HISTORY:**

1. On January 7, 1992, Mayor & Commission (M&C) of the Unified Government of Athens-Clarke County (ACCGov) approved the Participation by Athens-Clarke County on Storm Drainage Facilities Policy, PW-002, and what is generally known as the Drainage Improvement Agreement (DIA) Policy.
2. On February 4, 2003, Mayor and Commission (M&C) approved the Unified Government of Athens-Clarke County (ACCGov) Stormwater Management Program for compliance with the NPDES Phase II Stormwater Permit. This program specified the level and scope of service and identified tasks that ACCGov would undertake over a five-year period to comply with regulations identified in the Phase II Permit.
3. On April 1, 2003, M&C authorized the Manager's Office to create a resident/staff Stormwater

Advisory Committee (SAC) to assist with the implementation of the Stormwater Management Program. The SAC's charge was to review the current funding structure for the stormwater program and to make recommendations as to how the program would be funded in the future.

4. Between June and August 2003, the SAC worked with staff to review the types of activities the Stormwater Management Program would include, the level of resources necessary to conduct these activities, and the funding options available to the community to fund these activities.
5. On November 4, 2003, M&C designated the following sources as the primary methods of funding for the Stormwater Management Program:
  - a. Special Purpose Local Option Sales Tax
  - b. Additional Development Fees, and
  - c. Stormwater Enterprise Fund (Stormwater Utility).
6. On January 6, 2004, M&C awarded a contract to Earth Tech, Inc. to assist staff and the SAC with developing recommendations for a rate structure for a stormwater utility.
7. On December 7, 2004, M&C adopted the stormwater utility ordinance (Chapter 5-5) describing the proposed rate structure, fees, service areas, and credit policies.
8. On July 1, 2005, the Stormwater Utility Fee was implemented. M&C approved the reduction of the millage rate by 0.6 mills (from 13.40 to 12.80) to reflect the shift of \$1.7 million from the General Fund to the new Stormwater Enterprise Fund via the newly imposed fee.
9. On March 14, 2017, Transportation and Public Works (T&PW) staff presented an overview of the stormwater program at a scheduled M&C work session. T&PW staff recommended proceeding with a consultant to assess the stormwater utility's equity and effectiveness to make recommendations on adjustments to the rate and credit structure.
10. On December 5, 2017, M&C awarded the contract for a stormwater funding review to the Stantec/EPG team. Work began in March 2018.
11. In August and September 2018, T&PW advertised an online survey to gather public input on the scope of services provided by the Stormwater Management Program (SMP).
12. On August 16, 2018, Stantec and T&PW hosted two public meetings to discuss the Stormwater Funding Review.
13. On September 11, 2018, T&PW staff presented at a scheduled M&C work session the preliminary findings for Phase I of the Stormwater Funding Review: Stormwater Costs and Funding Strategy. M&C requested a second work session to provide additional opportunity to consider alternatives.
14. On November 13, 2018, T&PW staff presented at a scheduled M&C work session additional

information for Phase I of the Stormwater Funding Review: Stormwater Costs and Funding Strategy.

15. On December 4, 2018, M&C accepted Phase I of the Stormwater Funding Review along with strategy recommendations to expand the level of service to include maintenance of a public zone of influence at pipe outlets, adding a 2-person crew for televising and inspecting storm pipes, adding a 2-person crew for enhanced operation of vacuum trucks for pipe cleaning, and funding of existing pipe replacements.
16. Between January 24 and February 26, 2019, ACCGov and Stantec team staff conducted six public meetings at locations throughout Athens-Clarke County. These meetings were attended by a total of 130 people.
17. On April 9, 2019, ACCGov and Stantec Team staff presented the preliminary findings for Phase II of the Stormwater Funding Review: Stormwater Fee Rate and Credit Review at a scheduled M&C work session.
18. On July 2, 2019, ACCGov accepted Phase II of the Stormwater Funding Review.
19. In September 2020, Mayor Girtz assigned to the Government Operations Committee the task of reviewing the Stormwater Level of Service.
20. In November 2020, the Government Operations Committee recommended that Mayor & Commission establish a Stormwater Advisory Committee to investigate Stormwater Level of Service.
21. In January 2021, Mayor & Commission approved the Government Operations Committee recommendation to establish a Stormwater Advisory Committee to investigate Stormwater Level of Service.
22. On March 28, 2023, at their 15<sup>th</sup> meeting, the Stormwater Advisory Committee considered four level of service options studied by Stantec. The financial information accompanying each level of service (**Attachment #1**) reflected updated impervious surface data. They chose to recommend Option 3. Choosing this option was a reflection of committee members' interest in taking affordable, commonsense steps that move the community in a positive direction, the need for a dedicated source of funding for public stormwater capital costs that reflects current economic conditions, an interest in bringing greater specificity to the extent and level of service on private property in a way that realistically reflects fiscal limitations, and the sense that although costs associated with stormwater issues may not always be apparent, a proactive approach saves money and reduces frustration for everyone in the end. It was noted that the rate structure for the stormwater fee had not been changed since its inception in 2005. Committee members felt that the importance of water and sound stormwater management to the health and safety of the community could not be ignored.
  - a. Option 1 would fund the current level of service. This includes capital funding for

- stormwater monitoring required as part of Clean Water Act requirements.
- b. In addition to the level of service provided in Option 1, Option 2 would also include limited driveway cleaning, a rock program, and additional street sweeping.
  - c. In addition to the level of service provided in Option 2, Option 3 would also include funding for sustainable capital maintenance. Although this would not fund the existing capital deficit, it would sustainably build funding for future stormwater capital replacement needs by accounting for life cycle costs. Since September 1, 2020, 67 major culvert and pipe replacement and/or repair projects have been completed or are currently under construction funded mainly by the Stormwater Utility Enterprise Fund at a cost of \$6,516,486.
  - d. In addition to the level of service provided in Option 3, Option 4 would also provide for contracted maintenance of drainage systems within single family residential areas.
23. On March 28, 2023, the Stormwater Advisory Committee also recommended a complete revision of PW-002 (**Attachment #2 and Attachment #3**) – a policy statement approved by Mayor & Commission in 1992 that describes participation by Athens-Clarke County in drainage issues on private property. The recommended revision is compatible with Option 3 Extent and Level of Service and it includes changes to the following:
- a. Driveway Pipes; Privately owned and maintained as part of driveway access to private property.
  - b. Zone of influence: Allow for ACCGov to maintain outfalls located outside the ROW measured 6 times diameter of the pipe.
  - c. Rock Program: placement of rip rap rock on right of way for the use by home owners who qualify due to erosion problems.
  - d. Drainage Improvement Agreements (DIA): offered for signal family residential lots only including duplexes and triplexes that are experiencing sever erosion and failure of stormwater structures and requires the homeowner to fund all cost of materials while ACCGov will bear the cost of in-house labor, engineering, and equipment.
- Other Stormwater work on Private Property: please see **Attachment #3** for the complete rewrite of PW-002.
24. In July 2023, Stantec developed an amended version of Option 3 that included limited maintenance (outlet control structure only) of detention basins that serve multiple residential lots and that are on lots not owned or maintained by a Homeowners Association. This new option was called 3b, and the original option 3 has been re-labelled as 3a.
25. On August 15, 2023, the Stormwater Advisory Committee was advised of the details of Option 3b. The Committee voted to recommend this option along with an updated version of PW-002 (**Attachment #2 and Attachment #3**) that reflects the extent of level of service in 3b.

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**FACTS & ISSUES:**

1. The stormwater utility is a fee assessed to all developed properties within Athens-Clarke County that is charged based on the property's contribution to the need for stormwater management. The fee is calculated with the following variables:
  - Impervious surface area: Impervious surface like driveways, roof tops, and patios increase the velocity and volume of stormwater runoff.
  - Water quality factor: High density developments result in more polluted stormwater runoff than low density development. Therefore, a water quality factor is applied to a property based on the intensity of the development.
2. The stormwater fee is currently assessed with the following three components which have been updated to reflect level of service options:
  - Base Charge: recovers fixed stormwater management expenditures
  - Quantity Charge: recovers stormwater quantity related expenditures (flood prevention /mitigation)
  - Quality Charge: recovers water quality related expenditures
3. Residential properties are placed into one of three tiers to determine the Equivalent Runoff Units (ERU). These tiers have been updated to reflect updated impervious surface information.
4. The use of a three-component fee is different from the most commonly used structure which uses a single charge applied to the number of ERUs. However, the three-component charge allows for a more accurate proportion of costs, and it therefore provides a more equitable fee structure.
5. Option 3 (Fund Sustainable Capital Maintenance) was recommended by the Stormwater Advisory Committee for Level of Service. This option was later re-labeled as 3a. Committee members expressed an interest in funding capital from the fee because it represents a dedicated source of funding that is more reliable than SPLOST and TSPLOST for this purpose. Committee members also wanted to clarify any assistance offered by ACCGov for drainage issues on private property to minimize confusion. The other options considered by the Committee were the following:
  - a. Option 1 (Fund Current Level of Service)
  - b. Option 2 (Fund Enhanced Level of Service including limited driveway cleaning, rock program, and additional street sweeping)
  - c. Option 4 (Fund Enhanced Extent of Service on Private Property)
6. Option 3b was created following the Stormwater Advisory Committee vote on Level of Service. This option includes everything in Option 3a and adds maintenance of outlet control structures for detention basins in single family residential neighborhoods that receive runoff from multiple parcels and that are not maintained by a Homeowners' Association. This option is currently recommended by staff, and the Stormwater Advisory Committee is scheduled to review and provide official and final recommendations to M&C on August 15, 2023.

7. WP-002 Policy was reviewed in conjunction with the level of service by the Stormwater Advisory Committee, and a rock program based on the one being implemented by Gwinnett County whereby rock riprap is provided to the road right of way by ACCGov and placed by the property owner was supported by committee members (**Attachment #4**). Members noted that although public stormwater infrastructure and the need for stormwater management may not always be obvious, real costs are associated with lack of attention to these issues.
8. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
  - Built and Natural Infrastructure, Strategy E: *Address ecosystem health, infrastructure sustainability and resilience.*

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**OPTIONS:**

2. Mayor and Commission:
  - a. Approve the Extent and Level of Service 3b in the Stantec Stormwater Utility Financial Planning presentation (**Attachment #1**);
  - b. Direct the Manager to bring to Mayor and Commission for approval an amended Chapter 5-5 (Stormwater Utility) that reflects the approved Extent of Service; and
  - c. ~~Direct the Manager to bring to Mayor and Commission for approval~~ Approve a re-written PW-002 policy that reflects the approved Extent of Service Option (**Attachment #5**).
3. Mayor and Commission do not approve the proposed extent of service or updated ordinance and policy.
4. Mayor and Commission defined option.

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**DEPARTMENT RECOMMENDED ACTION:** Option #1a, b, and c.

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**DEPARTMENT:** Transportation & Public Works

Prepared by: Todd Stevenson, P.E., Stormwater Administrator



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Stephen Bailey  
Director

July 26, 2023

Date:

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**ADMINISTRATIVE COMMENTS:**

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**ADMINISTRATIVE RECOMMENDATION:** Option #1a, b, and c



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Manager

August 8, 2023

Date:

**ATTACHMENTS:**

Attachment #1: Stormwater Utility Financial Planning – Stantec

Attachment #2: Existing (1992) PW-002

Attachment #3: Proposed PW-002

Attachment #4: Proposed PW-002, Explanation of Re-write

Attachment #5: Revised PW-002



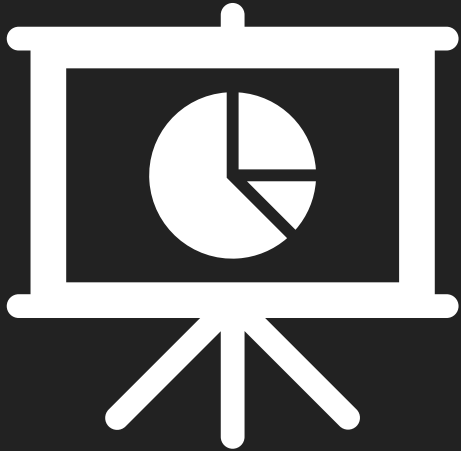
Athens-Clarke County

Stormwater Utility  
Financial Planning





# Agenda



- 1) Review of financial planning scenarios
- 2) Modeling of options
- 3) Stormwater fee benchmarking



# Financial Planning Approach

## Revenue Requirements

- Forecast of system operating expenditures
- Forecast of capital investments
- Incorporate extent of service options

## Revenue Forecast

- Forecast of customer counts
- Development of revenue forecast with existing fees

## Evaluate Key Metrics

- Sufficiency of revenue to meet revenue requirements
- Ability to fall within range of reserve targets



# Extent of Service Options

- Option 1: Fund current level of service
  - \$5M in FY24 and includes \$200k for annual capital
  - Incorporates annual inflation in future years
  
- Option 2: Fund enhanced level of service
  - Additional \$300k in additional operating expenditures
  - Limited driveway cleaning, rock programs and street sweeping
  
- Option 3: Fund sustainable capital maintenance
  - Additional \$1M per year for capital maintenance
  - Incorporates annual inflation in future years
  
- Option 4: Fund enhanced extent of service
  - Additional \$5M for all private maintenance (including private detention basins)

# Option 4: Enhanced extent of service plus funding options 1, 2 and 3

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## FINANCIAL ANALYSIS AND MANAGEMENT SYSTEM (FAMS) SUMMARY Athens-Clarke County Public Works



### Stormwater Fee Rate Plan Scenario Management

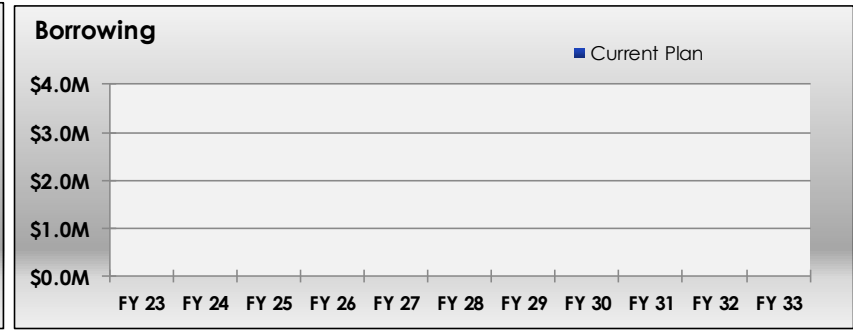
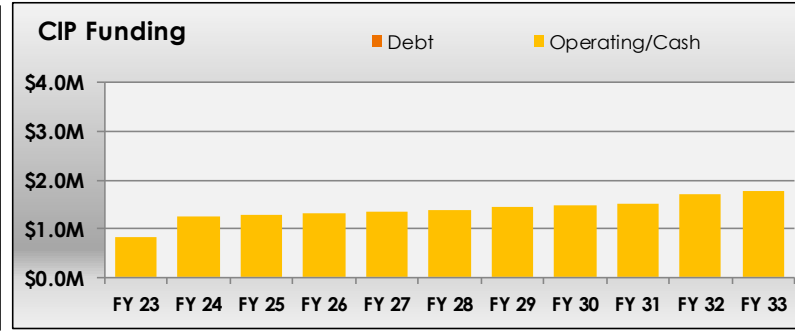
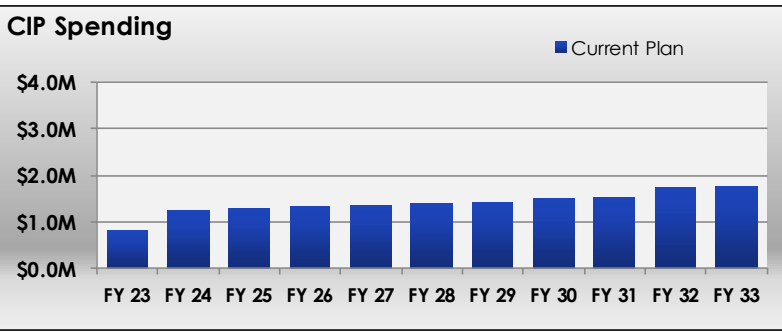
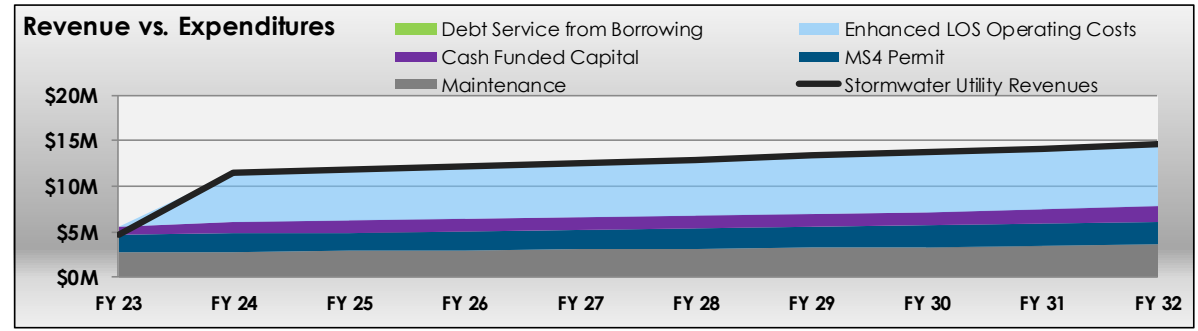
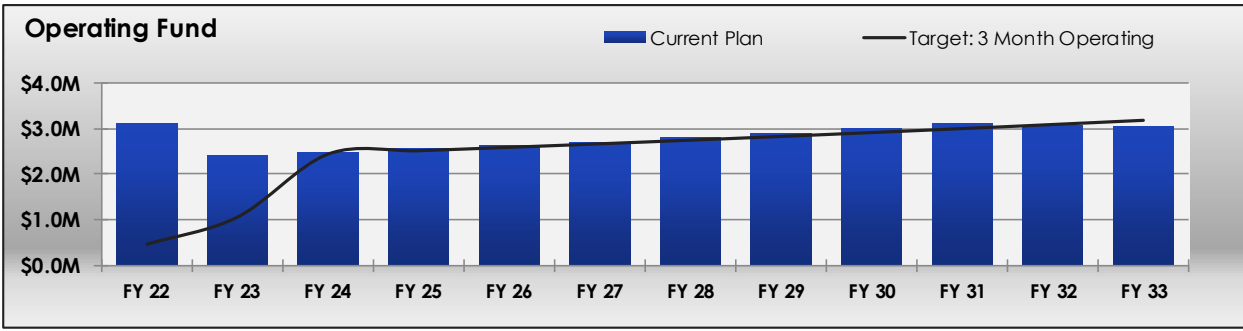
FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	FY 2027	FY 2032
0.00%	140.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	154.59%	181.16%

### Additional Extent of Service:

- Option 1 - Baseline
- Option 2 - Incremental
- Option 3 - Capital Maintenance
- Option 4 - Incremental

Starting FY	Annual Recurring Needs	Description
2024	\$ 5,000,000	Existing budgeted level of service (includes \$200k in annual capital)
2024	\$ 300,000	Limited driveway cleaning, rock programs and street sweeping
2024	\$ 1,000,000	Sustainable capital maintenance
2024	\$ 5,138,812	All private easement maintenance (including private detention basis)

	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	Cumulative	FY 2027	FY 2032
Total Monthly Bill	\$3.50	\$8.40	\$8.57	\$8.74	\$8.91	\$9.09	\$9.27	\$9.46	\$9.65	\$9.84	\$10.04	\$5.41	\$6.34	
Change \$		\$4.90	\$0.17	\$0.17	\$0.17	\$0.18	\$0.18	\$0.19	\$0.19	\$0.19	\$0.20			
<b>Total Annual Bill</b>	<b>\$42.00</b>	<b>\$100.80</b>	<b>\$102.84</b>	<b>\$104.88</b>	<b>\$106.92</b>	<b>\$109.08</b>	<b>\$111.24</b>	<b>\$113.52</b>	<b>\$115.80</b>	<b>\$118.08</b>	<b>\$120.48</b>	<b>\$64.92</b>	<b>\$76.08</b>	



# Option 3: Sustainable capital maintenance plus funding options 1 and 2

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## FINANCIAL ANALYSIS AND MANAGEMENT SYSTEM (FAMS) SUMMARY Athens-Clarke County Public Works



### Stormwater Fee Rate Plan Scenario Management

FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	FY 2027	FY 2032
0.00%	25.00%	3.25%	3.25%	3.25%	3.25%	3.25%	2.00%	2.00%	2.00%	2.00%	37.68%	55.56%

### Additional Extent of Service:

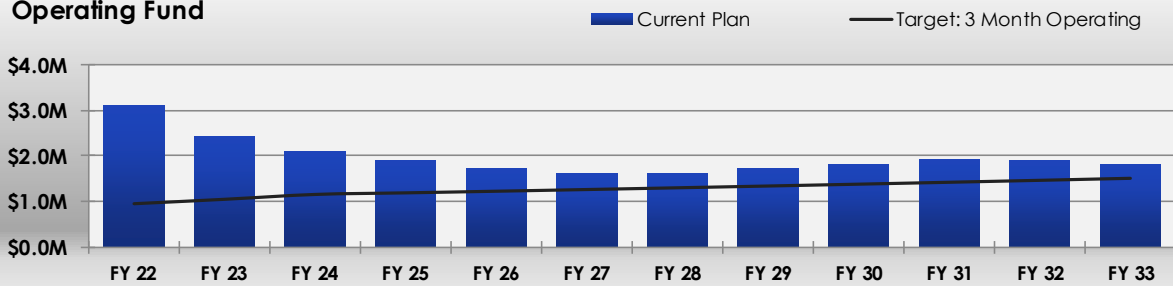
- Option 1 - Baseline
- Option 2 - Incremental
- Option 3 - Capital Maintenance
- Option 4 - Incremental

Starting FY	Annual Recurring Needs	Description
2024	\$ 5,000,000	Existing budgeted level of service (includes \$200k in annual capital)
2024	\$ 300,000	Limited driveway cleaning, rock programs and street sweeping
2024	\$ 1,000,000	Sustainable capital maintenance
2024	\$ -	All private easement maintenance (including private detention basis)

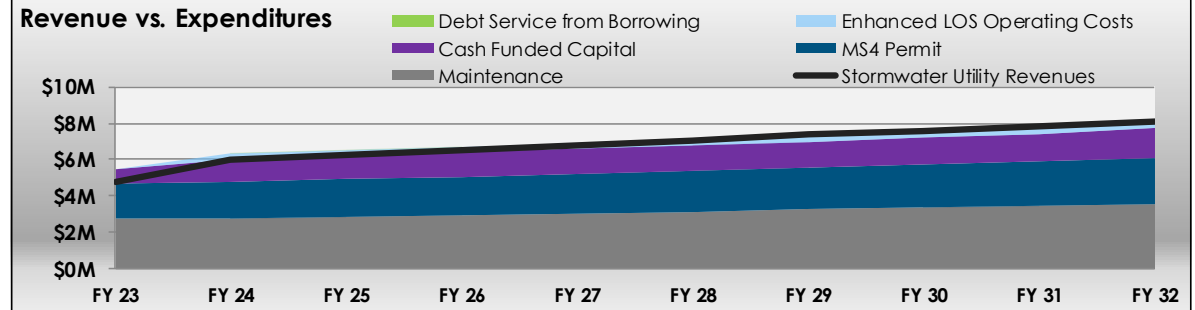
Total Monthly Bill  
Change \$  
Total Annual Bill

	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	Cumulative FY 2027	Cumulative FY 2032
Total Monthly Bill	\$3.50	\$4.38	\$4.52	\$4.67	\$4.82	\$4.98	\$5.15	\$5.26	\$5.37	\$5.48	\$5.59	\$1.32	\$1.98
Change \$		\$0.88	\$0.14	\$0.15	\$0.15	\$0.16	\$0.17	\$0.11	\$0.11	\$0.11	\$0.11		
Total Annual Bill	\$42.00	\$52.56	\$54.24	\$56.04	\$57.84	\$59.76	\$61.80	\$63.12	\$64.44	\$65.76	\$67.08	\$15.84	\$23.76

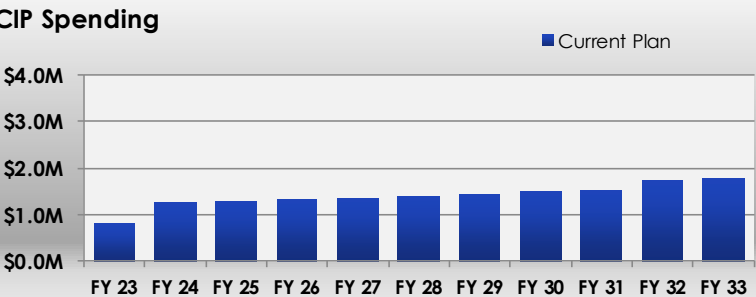
### Operating Fund



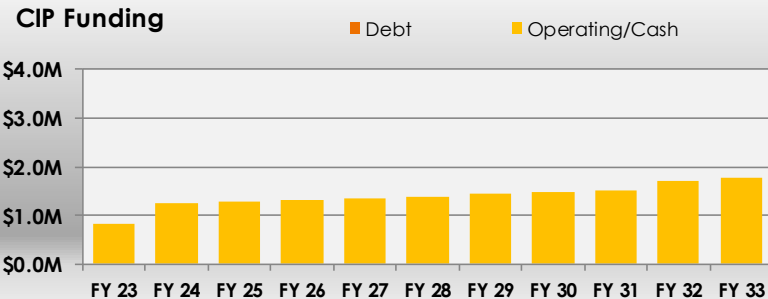
### Revenue vs. Expenditures



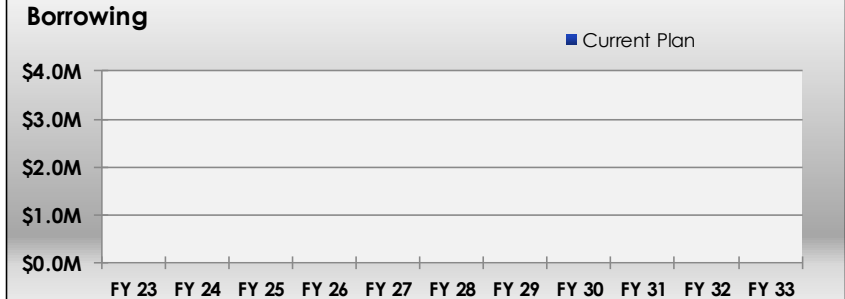
### CIP Spending



### CIP Funding



### Borrowing



# Option 2: Enhanced level of service plus funding option 1

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## FINANCIAL ANALYSIS AND MANAGEMENT SYSTEM (FAMS) SUMMARY Athens-Clarke County Public Works



### Stormwater Fee Rate Plan Scenario Management

FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	FY 2027	FY 2032
0.00%	3.25%	3.25%	3.25%	3.25%	3.25%	3.25%	2.25%	2.25%	2.25%	2.25%	13.53%	29.95%

### Additional Extent of Service:

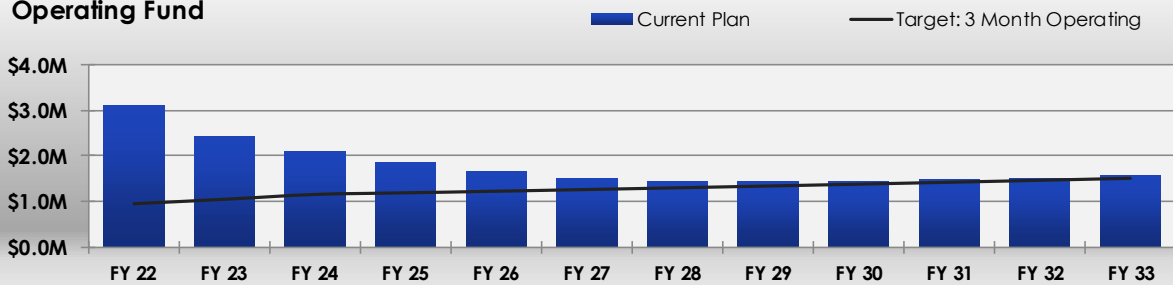
- Option 1 - Baseline
- Option 2 - Incremental
- Option 3 - Capital Maintenance
- Option 4 - Incremental

Starting FY	Annual Recurring Needs	Description
2024	\$ 5,000,000	Existing budgeted level of service (includes \$200k in annual capital)
2024	\$ 300,000	Limited driveway cleaning, rock programs and street sweeping
2024	\$ -	Sustainable capital maintenance
2024	\$ -	All private easement maintenance (including private detention basis)

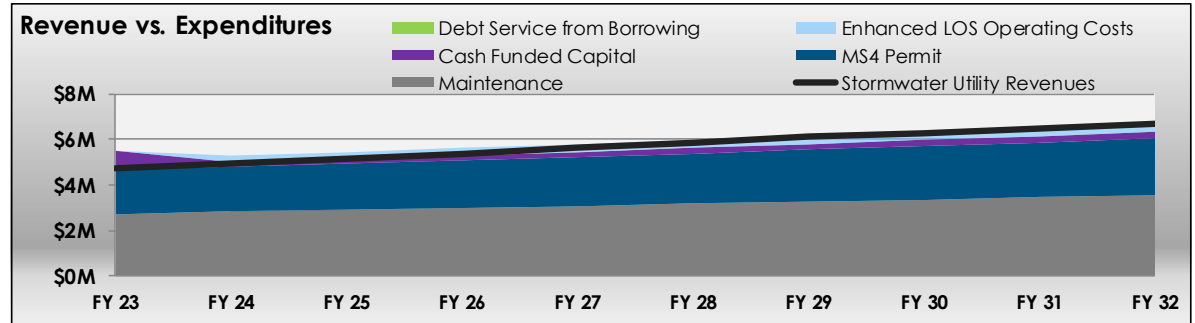
Total Monthly Bill  
Change \$  
Total Annual Bill

	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	Cumulative FY 2027	Cumulative FY 2032
Total Monthly Bill	\$3.50	\$3.62	\$3.74	\$3.86	\$3.98	\$4.11	\$4.24	\$4.34	\$4.44	\$4.54	\$4.64	\$0.48	\$1.04
Change \$		\$0.12	\$0.12	\$0.12	\$0.12	\$0.13	\$0.13	\$0.10	\$0.10	\$0.10	\$0.10		
Total Annual Bill	\$42.00	\$43.44	\$44.88	\$46.32	\$47.76	\$49.32	\$50.88	\$52.08	\$53.28	\$54.48	\$55.68	\$5.76	\$12.48

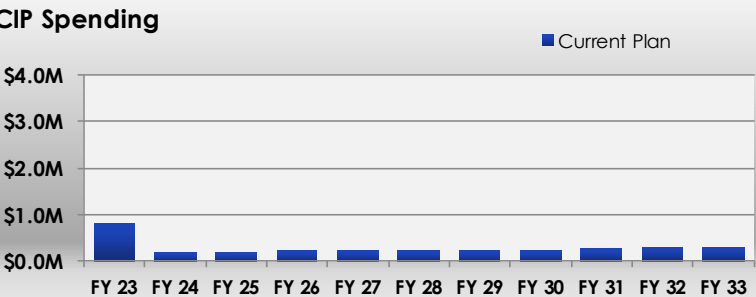
### Operating Fund



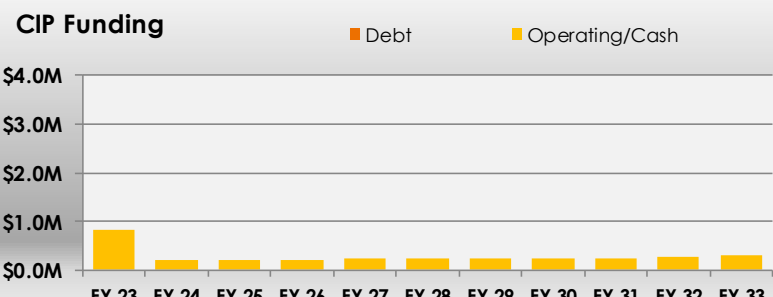
### Revenue vs. Expenditures



### CIP Spending



### CIP Funding



### Borrowing



# Option 1: Fund current level of service

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## FINANCIAL ANALYSIS AND MANAGEMENT SYSTEM (FAMS) SUMMARY Athens-Clarke County Public Works



### Stormwater Fee Rate Plan Scenario Management

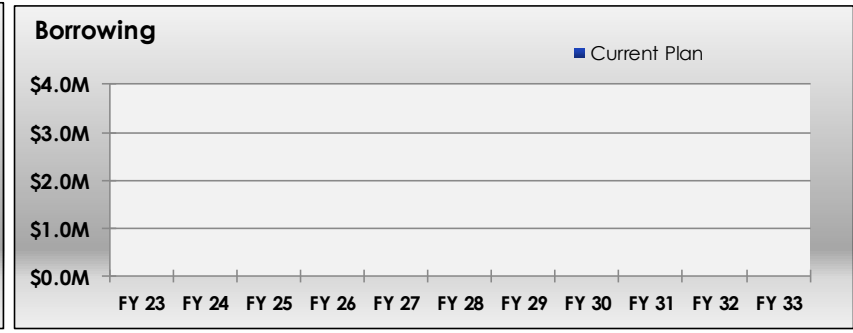
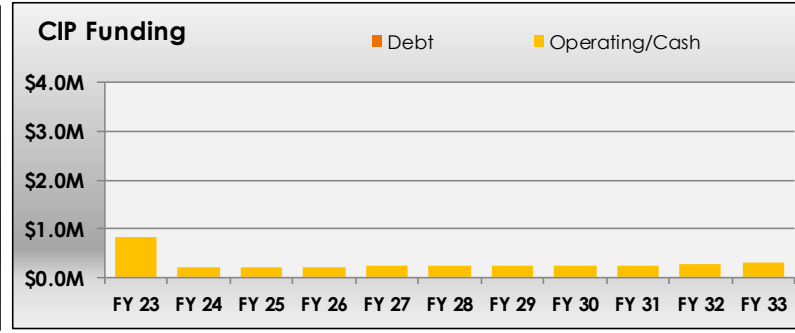
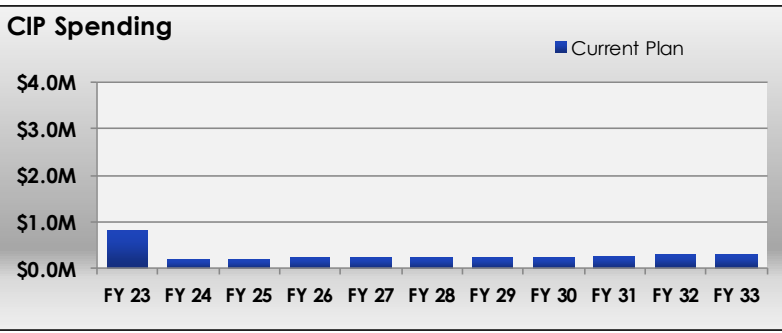
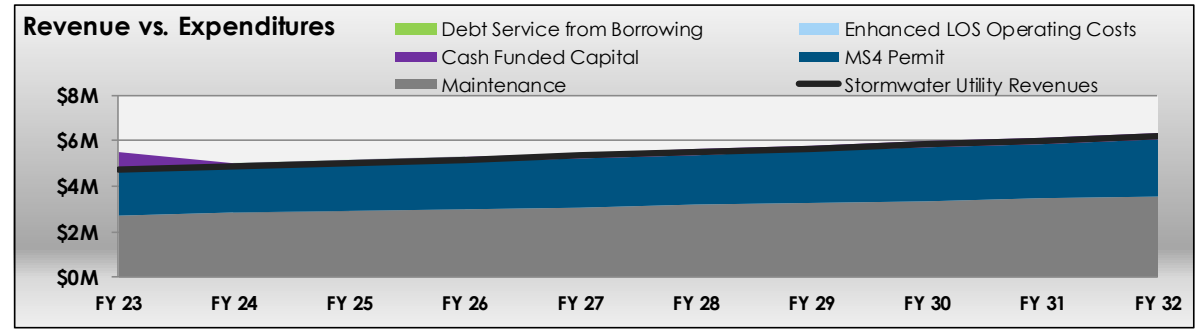
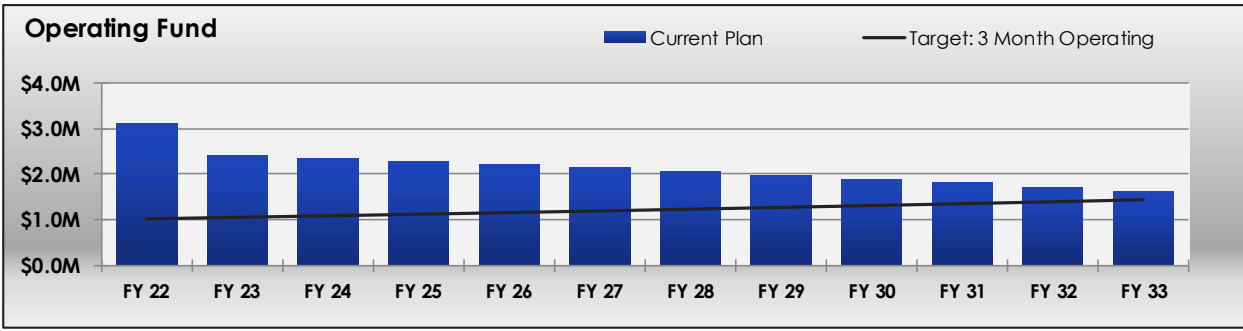
FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	FY 2027	FY 2032
0.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	7.73%	19.32%

### Additional Extent of Service:

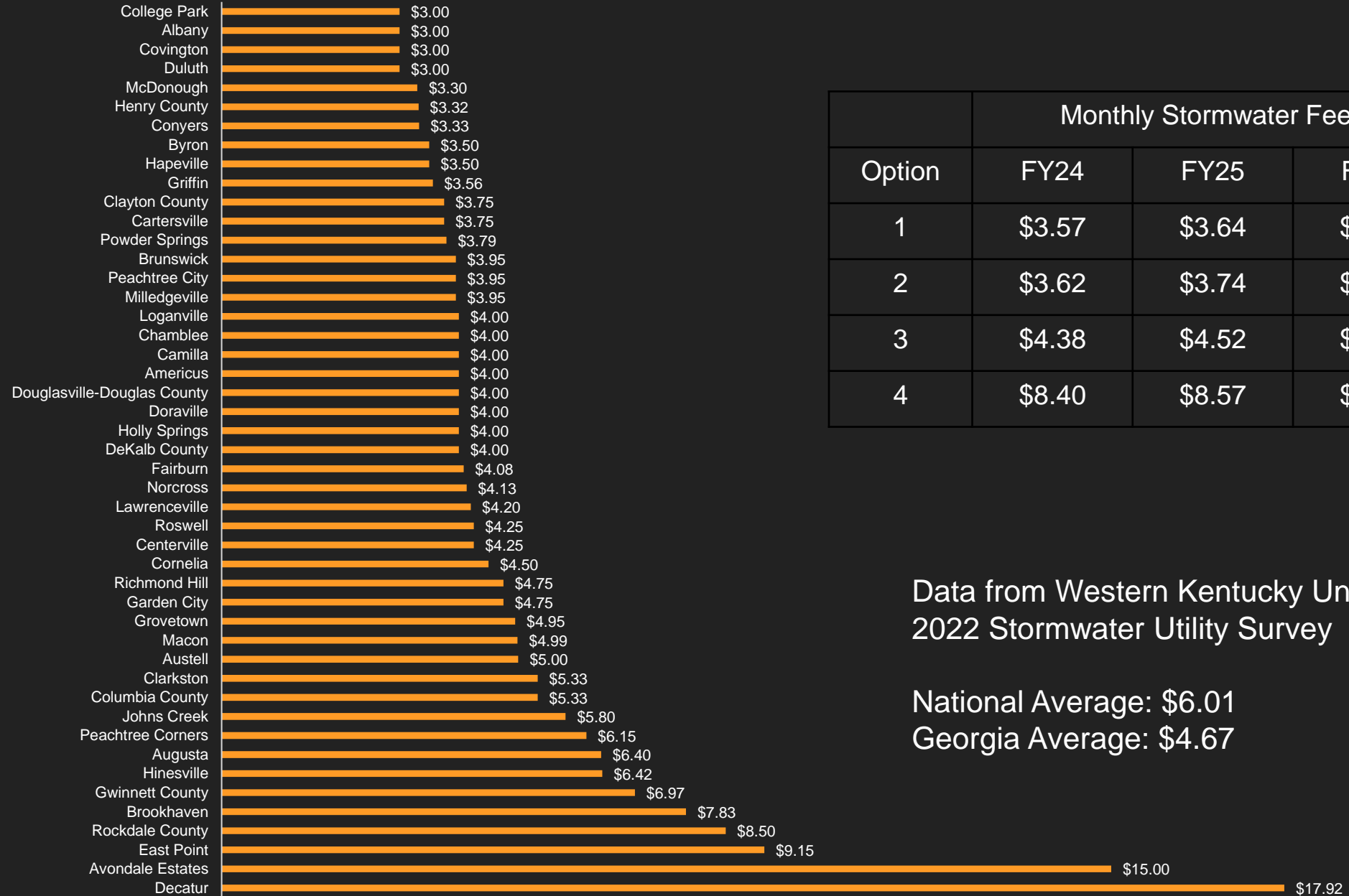
Starting FY	Annual Recurring Needs	Description
2024	\$ 5,000,000	Existing budgeted level of service (includes \$200k in annual capital)
2024	\$ -	Limited driveway cleaning, rock programs and street sweeping
2024	\$ -	Sustainable capital maintenance
2024	\$ -	All private easement maintenance (including private detention basis)

- Option 1 - Baseline
- Option 2 - Incremental
- Option 3 - Capital Maintenance
- Option 4 - Incremental

	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	Cumulative FY 2027	Cumulative FY 2032
Total Monthly Bill	\$3.50	\$3.57	\$3.64	\$3.71	\$3.78	\$3.85	\$3.93	\$4.01	\$4.09	\$4.17	\$4.25	\$0.28	\$0.67
Change \$		\$0.07	\$0.07	\$0.07	\$0.07	\$0.07	\$0.08	\$0.08	\$0.08	\$0.08	\$0.08		
<b>Total Annual Bill</b>	<b>\$42.00</b>	<b>\$42.84</b>	<b>\$43.68</b>	<b>\$44.52</b>	<b>\$45.36</b>	<b>\$46.20</b>	<b>\$47.16</b>	<b>\$48.12</b>	<b>\$49.08</b>	<b>\$50.04</b>	<b>\$51.00</b>	<b>\$3.36</b>	<b>\$8.04</b>



# Georgia - Stormwater Fee Benchmarking







**David Hyder**

Senior Principal

(202) 585-6391

David.Hyder@Stantec.com

**Additional Questions/Discussion**

POLICY AND/OR PROCEDURE STATEMENTDEPARTMENT OF PUBLIC WORKS  
ATHENS-CLARKE COUNTY, GEORGIAPOLICY SUBJECT: Participation by Athens-Clarke County on Storm Drainage FacilitiesFUNCTIONAL AREA: Public Works/Streets & EngineeringPOLICY/PROCEDURE NUMBER: PW-002POLICY STATEMENT: The development and use of land in and around the Athens-Clarke County

area frequently involves drainage problems, both on private property and in the public right-of-way. Due to the repetitive nature of requests that are received on three specific issues, it is most important that a firm policy be adopted on each of these situations.

These three general situations are as follows:

1. A policy for a Standard Drainage contract for those situations when a landowner desires to seek the Government's help in improving a drainage system that crosses or adjoins his property.
2. A policy for maintenance work that a citizen requests along a creek, stream or drainageway that crosses his property.
3. A policy with respect to the Government's participation toward the placement of a driveway drainage pipe that is needed for access to newly developed land.

STANDARD DRAINAGE CONTRACT:

This type of request usually occurs after private property is occupied and upstream properties are either partially or fully developed. Where further development occurs, the amount of storm water runoff increases and causes the drainageways to erode and be enlarged. Although this circumstance may occur on residential, commercial, and industrial properties, the vast majority of requests are received in single family residential situations. The Standard Drainage contract policy applies only to single family residential properties. It also is limited to those situations where a portion of the storm runoff is being discharged from publicly owned lands, such as road right-of-way.

Athens-Clarke County views the improvement of storm sewer systems on private property as an enhancement to the land value. This policy authorizes the Government work force to install the drainage improvements if the property owner agrees to pay for the cost of materials. The owner must also dedicate any required drainage easements and temporary construction easements as a condition of satisfying a Standard Drainage contract. The total labor and equipment costs usually equal or exceed the cost of the materials. This policy is deemed to be an acceptable and consistent policy that is workable in

practice and is consistent with the type of policy practiced in many other cities and counties.

The portions of a storm system that cross the public road right of way are considered to be the full funding responsibility of the local government, including the cost of materials. If the owner desires to enclose a storm drainage system in front of property that lies within the public right of way and this improvement, in the opinion of the Public Works Director, is not primarily needed for vehicular safety reasons, it is the responsibility of the owner to pay for the cost of materials. If the owner desires to install a curb and gutter system in a public road adjacent to his property and the improvement has been authorized by the Public Works Director, the owner shall be responsible for the material costs of the road widening and the curb and gutter construction.

When a Storm Drainage Contract is approved, it is necessary to schedule the construction of these improvements in conjunction with the Public Works Department's overall work program only after the owner or owners involved have dedicated the necessary drainage easements to establish permanent maintenance rights. The funding of the Government's portion of the cost of materials in the right of way must either already be budgeted, or be delayed for consideration at a future budget session.

#### **MAINTENANCE OF DRAINAGEWAYS:**

It is desirable for Athens-Clarke County to have a policy on the maintenance of drainage systems crossing private property. In most cases, these drainageways are constructed along side lot lines or rear lot lines where natural waterways were ultimately subdivided and incorporated in the layout.

Drainage easements are usually dedicated to the public for future maintenance purposes. The natural rights from the original waterway, sometimes in combination with the dedicated drainage easements, have usually given the Public Works Department the rights to cross these properties to perform essential maintenance. In reality, however, the Public Works Department does not have a sufficient work force or, in staff's opinion, the responsibility to undertake the maintenance of these drainage systems. It is essential, therefore that a policy be adopted that defines the priorities for maintenance of drainageways.

In order to respond to those situations that are deemed to be potentially dangerous to the safety and welfare of the general public, the policy for maintaining drainageways shall include the cleaning out of any debris that threatens to block the drainage system at any road crossing. In certain other cases where the stream erosion factor is considered extreme and a potential immediate threat to publicly owned properties and/or facilities, the Public Works Department shall assume the initiative for installing energy dissipaters, such as a riprap embankment. Otherwise, the property owners are expected to maintain their embankments along each drainageway, including such improvements as a utility service crossing that might be serving their dwelling, or to request assistance through the Standard Drainage Contract

process. This policy is applicable to the maintenance of drainageways in residential, commercial, and industrial areas.

**DRIVEWAY PIPES:** The Athens-Clarke County policy on stalling driveway pipes in developing areas shall be done on a limited basis. Participation shall be limited to single family residential development that is not a part of a subdivision and is not applicable to multi-family residential, commercial, or industrial development.

When driveway pipe requests are received, the Engineering Section shall review the conditions to determine the size of the pipe that must be installed. This is done for all types of land uses where the driveway pipe is permitted. For single family residential areas where a curb and gutter system is not being installed, the owner is required to purchase the driveway pipe materials up to an 18" diameter pipe size. For pipe sizes exceeding that diameter, the owner shall pay for the material cost of an 18" pipe and the Government shall pay for the additional material cost. The Public Works Department shall install the driveway pipe from materials that are kept in stock after the owner has made payment to the Finance Department for his material costs. This practice shall be the policy for all driveway pipes that are needed for single family development. For multi-family residential, commercial, and industrial developments, the applicant shall go through the same procedure for the sizing of the pipe. Approval of formal plans may be required for installing driveways for these uses. In these situations, however the owner must put for the full material costs of the driveway improvements, and must also pay for the installation of these improvements.

Recommended: Donald M. Loomis Date: 12/10/91  
Director of Public Works

Approved: [Signature] Date: 1/15/92  
Manager/Assistant Manager

Approved by the Commission of the Unified Government of Athens-Clarke County on 01-07-92

[Signature] Date: 01-16-92  
Clerk of Commission

**As approved by the Stormwater Advisory Committee on March 28, 2023  
Changes from 1992 Original PW-002 are Highlighted**

**PW-002**

**Policy and Procedure Statement**

**Athens-Clarke County Department of Transportation & Public Works**

**Policy Statement:** Like water and sanitary sewer infrastructure, costs are associated with public stormwater infrastructure. This includes not only storm pipes and street inlets but roadside ditches and shoulders. Programs that mitigate the impact of development on water quality and flooding in receiving streams also require investments. Not only is this a Clean Water Act requirement, it's a community expectation. Everyone benefits from these public investments.

Many single family residential property owners are occasionally concerned about drainage issues on their property. The solutions that individuals devise to deal with these issues can vary significantly. Some may be content to leave the situation as it is, others may alter landscaping to be more consistent with drainage patterns, and still others may utilize hardscaping, ditching, or piping. Property owners should be careful to avoid altering runoff from their property in a way that adversely impacts downstream property owners.

The meaning of the term "stormwater improvement" has evolved over time. That trend is likely to continue. Infiltration, interception, and incorporation of stormwater into amenities is replacing traditional approaches of conveyance and removal of stormwater as a waste product. Stormwater systems consisting primarily of pipes, which were once considered to be proper drainage, can exacerbate flooding, streambank and channel erosion, and pollution in receiving streams.

In the same way, interpretations of drainage problems can change. A wet spot in the lawn that bothers one person may be an opportunity for a unique type of landscaping for another. When drainage issues that cause damage are corrected by property owners, those owners bear the costs and reap the benefits.

Chapter 5-5 (Stormwater Utility) was enacted in December 2004 to establish a stormwater utility enterprise fund to provide stormwater management services that contribute to the preservation of public health, safety and welfare, along with protection of natural resources. That ordinance also specifies that operation and maintenance of many private drainage systems is the legal responsibility of the property owner.

This policy articulates mechanisms that may be used to help address specific stormwater challenges that are the legal responsibility of property owners but for which Athens-Clarke County may provide assistance. It is recognized that both the public financial burden and the necessity to fulfill public responsibilities imposes limitations on public stormwater expenditures outside of those duties. A guiding principle is that public responsibilities are paramount.

It is also understood that provision of stormwater services outside of public responsibilities that benefit everyone must be undertaken with the utmost emphasis on the cost to stormwater customers and the principle of fairness. There is a recognition that some properties are situated lower than others and therefore receive more stormwater runoff. This is the nature of land forms and is a consideration in the value of all property.

To help prioritize investments of time and funding, three general categories of services are enumerated. They are public services, quasi-public services, and private services. This policy primarily addresses quasi-public and private services with the realization that these services are subordinate to the greater public interest.

**Driveway pipes:** Driveway pipes allow property owners to cross roadside ditches within the public right of way to access their property. These pipes are the responsibility of the property owner. At the same time, they are part of the roadside drainage system that can influence roadside drainage hazards. Limited cleaning of these pipes can therefore be considered a quasi-public service.

Factors that affect the priority of driveway pipe cleaning may include current public responsibilities, detrimental impacts of poor hydraulic pipe performance, staffing levels, pipe condition, and ditch maintenance schedules.

**Zone of influence:** For purposes of this policy, the zone of influence refers to a distance of six times the pipe diameter from the outlet of certain storm pipes in the downstream direction. The storm pipes must either cross under or receive stormwater runoff from within the right of way of an Athens-Clarke County road. Erosion at storm pipe outlets in the zone of influence will be eligible for the Athens-Clarke County rock program. In the case of storm pipes that carry runoff from watersheds larger than 24 acres, ACCGov may allow use of Drainage Improvement Agreements to address these situations. This can be considered a quasi-public service.

**Rock program:** Although all streams meander naturally over time, land use changes within watersheds can accelerate this process. In other cases, stormwater runoff is concentrated at specific points by pipes or ditches. This often also causes significant erosion. The rock program allows for provision of rock rip rap by ACCGov according to policies established by the Athens-Clarke County Transportation and Public Works Department. Property owners can make use of this material as a tool to reduce these cases of erosion. Any permitting associated with these projects is the responsibility of the property owner. Maintenance of these projects is the property owner's responsibility.

**Drainage Improvement Agreements (DIAs):** These agreements provide a cost-sharing mechanism between property owners and ACCGov. The property owner pays for materials and

ACCGov designs and installs the project. Drainage Improvement Agreements shall be limited to two cases.

1. In the first case, there is a significant ongoing erosion issue at a pipe outlet on a single family residential lot from a pipe directly connected to an ACCGov storm system and with a watershed area greater than 24 acres. This might fall outside of the rock program because the size of riprap may be beyond that required for stabilization.
2. In the second case, a pipe that is directly connected to an ACCGov storm system and that has been platted fails in such a way that a single family residence could be directly impacted.

In the case that a project constructed under such an agreement needs maintenance, another Drainage Improvement Agreement may be entered into.

**Other ACCGov stormwater work on private property:**

1. In some cases, drainage systems for ACCGov roads cannot function properly without work on private property. In these cases, ACCGov may do stormwater related work on private property through appropriate agreements with the property owners.
2. For significant stormwater issues on private property that are not covered by policies outlined above, the property owner is responsible for remediation. To be eligible for public funding, it is recommended that an areawide study that prioritizes such cases be conducted.

**August 2023**

**Changes from the Version Approved by the Stormwater Advisory Committee on March 28, 2023 are highlighted.**

**PW-002**

**Policy and Procedure Statement**

**Athens-Clarke County Department of Transportation & Public Works**

**Policy Statement:** Like water and sanitary sewer infrastructure, costs are associated with public stormwater infrastructure. This includes not only storm pipes and street inlets but roadside ditches and shoulders. Programs that mitigate the impact of development on water quality and flooding in receiving streams also require investments. Not only is this a Clean Water Act requirement, it's a community expectation. Everyone benefits from these public investments.

Many single family residential property owners are occasionally concerned about drainage issues on their property. The solutions that individuals devise to deal with these issues can vary significantly. Some may be content to leave the situation as it is, others may alter landscaping to be more consistent with drainage patterns, and still others may utilize hardscaping, ditching, or piping. Property owners should be careful to avoid altering runoff from their property in a way that adversely impacts downstream property owners.

The meaning of the term "stormwater improvement" has evolved over time. That trend is likely to continue. Infiltration, interception, and incorporation of stormwater into amenities is replacing traditional approaches of conveyance and removal of stormwater as a waste product. Stormwater systems consisting primarily of pipes, which were once considered to be proper drainage, can exacerbate flooding, streambank and channel erosion, and pollution in receiving streams.

In the same way, interpretations of drainage problems can change. A wet spot in the lawn that bothers one person may be an opportunity for a unique type of landscaping for another. When drainage issues that cause damage are corrected by property owners, those owners bear the costs and reap the benefits.

Chapter 5-5 (Stormwater Utility) was enacted in December 2004 to establish a stormwater utility enterprise fund to provide stormwater management services that contribute to the preservation of public health, safety and welfare, along with protection of natural resources. That ordinance also specifies that operation and maintenance of many private drainage systems is the legal responsibility of the property owner.

This policy articulates mechanisms that may be used to help address specific stormwater challenges that are the legal responsibility of property owners but for which Athens-Clarke County may provide assistance. It is recognized that both the public financial burden and the



necessity to fulfill public responsibilities imposes limitations on public stormwater expenditures outside of those duties. A guiding principle is that public responsibilities are paramount.

It is also understood that provision of stormwater services outside of public responsibilities that benefit everyone must be undertaken with the utmost emphasis on the cost to stormwater customers and the principle of fairness. There is a recognition that some properties are situated lower than others and therefore receive more stormwater runoff. This is the nature of land forms and is a consideration in the value of all property.

To help prioritize investments of time and funding, three general categories of services are enumerated. They are public services, quasi-public services, and private services. This policy primarily addresses quasi-public and private services with the realization that these services are subordinate to the greater public interest.

**Driveway pipes:** Driveway pipes allow property owners to cross roadside ditches within the public right of way to access their property. These pipes are the responsibility of the property owner. At the same time, they are part of the roadside drainage system that can influence roadside drainage hazards. Limited cleaning of these pipes can therefore be considered a quasi-public service.

Factors that affect the priority of driveway pipe cleaning may include current public responsibilities, detrimental impacts of poor hydraulic pipe performance, staffing levels, pipe condition, and ditch maintenance schedules.

**Zone of influence:** For purposes of this policy, the zone of influence refers to a distance of six times the pipe diameter from the outlet of certain storm pipes in the downstream direction. The storm pipes must either cross under or receive stormwater runoff from within the right of way of an Athens-Clarke County road. Erosion at storm pipe outlets in the zone of influence will be eligible for the Athens-Clarke County rock program. In the case of storm pipes that carry runoff from watersheds larger than 24 acres, ACCGov may allow use of Drainage Improvement Agreements to address these situations. This can be considered a quasi-public service.

**Rock program:** Although all streams meander naturally over time, land use changes within watersheds can accelerate this process. In other cases, stormwater runoff is concentrated at specific points by pipes or ditches. This often also causes significant erosion. The rock program allows for provision of rock rip rap by ACCGov according to policies established by the Athens-Clarke County Transportation and Public Works Department. Property owners can make use of this material as a tool to reduce these cases of erosion. Any permitting associated with these projects is the responsibility of the property owner. Maintenance of these projects is the property owner's responsibility.

**Drainage Improvement Agreements (DIAs):** These agreements provide a cost-sharing mechanism between property owners and ACCGov. The property owner pays for materials and ACCGov designs and installs the project. Drainage Improvement Agreements shall be limited to two cases.

1. In the first case, there is a significant ongoing erosion issue at a pipe outlet on a single family residential lot from a pipe directly connected to an ACCGov storm system and with a watershed area greater than 24 acres. This might fall outside of the rock program because the size of riprap may be beyond that required for stabilization.
2. In the second case, a pipe that is directly connected to an ACCGov storm system and that has been platted fails in such a way that a single family residence could be directly impacted.

In the case that a project constructed under such an agreement needs maintenance, another Drainage Improvement Agreement may be entered into.

**Other ACCGov stormwater work on private property:**

1. In some cases, drainage systems for ACCGov roads cannot function properly without work on private property. In these cases, ACCGov may do stormwater related work on private property through appropriate agreements with the property owners.
2. In cases where a detention basin outlet control structure is located on a single family residential lot, there is an existing maintenance agreement for the detention basin between Athens-Clarke County and the property owner, and the maintenance is not the responsibility of a Homeowners Association as of August 1, 2023, the property owner may enter into an amended maintenance agreement with Athens-Clarke County whereby maintenance of the outlet control structure is assumed by Athens-Clarke County and all other maintenance (such as vegetation and trash) remains the responsibility of the property owner.
3. For significant stormwater issues on private property that are not covered by policies outlined above, the property owner is responsible for remediation. To be eligible for public funding, it is recommended that an areawide study that prioritizes such cases be conducted.

### Explanation of PW-002 Re-Write

PW-002 was approved by Mayor & Commission in 1992 to limit and to specify ACCGov's involvement in private drainage issues. This was at a time when the prevailing question was how to convey stormwater and any associated pollutants to receiving streams with minimal interference of property use. This typically meant installation of storm pipes. Often this occurred in people's yards.

In the intervening years, another set of questions has emerged. What can be done to improve the health of receiving streams and rivers so that they are fishable? Can development take place in ways that minimize increases in downstream drainage problems such as flooding, stream bank erosion, and water quality degradation? Are there limitations to what engineering alone can achieve? Does one person's drainage "improvement" become a downhill's neighbor's drainage problem? Are puddles that we have thought of as nuisances potentially part of natural stormwater solutions? Are severe storms happening more frequently?

In response to these questions, stormwater management has evolved. The State has adopted buffers for State waters. Riparian buffers for protected streams and rivers were enacted by Mayor and Commission. An Athens-Clarke County stormwater management program in accordance with the Clean Water Act was approved by Mayor and Commission. A dedicated source of funding to implement this program was also approved.

Some things have remained the same. As was the case in 1992, budgets and staffing are limited. We have a desire to manage risks as efficiently as possible. To this end, the 1992 policy prioritized projects directed towards the safety and welfare of the general public over those done on private property. It also allowed for a cost share mechanism called Standard Drainage Contracts for issues on private property.

In practice, Standard Drainage Contracts (now more commonly referred to as Drainage Improvement Agreements) have seldom been used. Their existence has at times fostered a sense among residents of being left out. Staff time that could more appropriately have been directed towards public safety and welfare has been consumed with private drainage issues.

In the proposed PW-002 re-write, the circumstances under which Drainage Improvement Agreements could be used are proposed to be tightened up. A new rock program would facilitate efforts by residents to control erosion. Attention given to maintenance of driveway pipes would increase, while the 1992 policy to install drainage pipes for specified single family residential driveways would be eliminated. Single family residential property owners with detention basins in their yards could enter into revised maintenance agreements that provide for Athens-Clarke County maintenance of outlet control structures not currently maintained by a Homeowners Association.

It is anticipated that stormwater management strategies will continue to evolve, and that it would be beneficial to revisit this policy at regular intervals (hopefully shorter than 30 years) in the future.

<b>Comparison of Original (1992) PW-002 and Proposed (August 2023) PW-002</b>	
<b>1992</b>	<b>August 2023</b>
<p><b>Standard Drainage Contracts (aka Drainage Improvement Agreements)</b></p> <ul style="list-style-type: none"> <li>• Limited to single family residential</li> <li>• Some runoff from publicly-owned property such as roads</li> <li>• Property owner dedicates any needed easements</li> <li>• Property owner pays for materials</li> </ul>	<p><b>Drainage Improvement Agreements</b></p> <ul style="list-style-type: none"> <li>• Limited to single family residential</li> <li>• Significant erosion at outlet of pipe directly connected to an ACCGov storm system and watershed area is greater than 24 acres.</li> <li>• A storm pipe directly connected to an ACCGov storm system fails in such a way as to directly impact a residence</li> <li>• Property owner pays for materials</li> </ul>
<p><b>Rock program:</b></p> <ul style="list-style-type: none"> <li>• Not mentioned</li> </ul>	<p><b>Rock program</b></p> <ul style="list-style-type: none"> <li>• Athens-Clark County provides rock rip-rap according to policies developed by Athens-Clarke County Transportation and Public Works.</li> <li>• Property owners make use of this material to reduce erosion.</li> <li>• Any permitting associated with use of this material is the responsibility of the property owner.</li> </ul>
<p><b>Zone of influence</b></p> <ul style="list-style-type: none"> <li>• Not mentioned</li> </ul>	<p><b>Zone of influence</b></p> <ul style="list-style-type: none"> <li>• In the case that the watershed area is less than 24 acres, the property owner can request rock rip-rap according to the rock program.</li> <li>• In the case that the watershed area is greater than 24 acres, the property owner can request a Drainage Improvement Agreement.</li> </ul>
<p><b>Driveway Pipes</b></p> <ul style="list-style-type: none"> <li>• ACCGov will size and install driveway pipes for single family residential parcels that are not part of subdivisions. <ul style="list-style-type: none"> <li>○ The property owner pays for pipes 18 inches in diameter and less.</li> <li>○ In cases where a pipe larger than 18 inches in diameter is required, the property owner pays the cost of an 18 inch pipe. ACCGov pays the remained of the pipe cost.</li> </ul> </li> </ul>	<p><b>Driveway Pipes</b></p> <ul style="list-style-type: none"> <li>• ACCGov will perform limited cleaning of pipes based on the following factors: <ul style="list-style-type: none"> <li>○ Availability of staff to perform such work</li> <li>○ Pipe condition</li> <li>○ Ditch maintenance schedules</li> <li>○ Detrimental impacts of poor hydraulic pipe performance</li> </ul> </li> </ul>
<p><b>Private Detention Basins</b></p> <ul style="list-style-type: none"> <li>• Not mentioned</li> </ul>	<p><b>Private Detention Basins</b></p> <ul style="list-style-type: none"> <li>• Limited to detention basins on single family residential parcels that are not maintained by Homeowners Associations and for which a maintenance agreement exists between the property owner and ACCGov.</li> <li>• Outlet control structures will be maintained by ACCGov</li> <li>• Vegetative and trash maintenance remains with the property owner.</li> </ul>

**PW-002****Policy and Procedure Statement****Athens-Clarke County Department of Transportation & Public Works****August 2023**

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**Recommended By:** Transportation & Public Works Department

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*Stephen Bailey*

Stephen Bailey, Director

Date: 8/18/23

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**Recommended By:**

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Blaine H. Williams, Manager

Date: \_\_\_\_\_

Approved by the commission of the Unified Government of Athens-Clarke County on

\_\_\_\_\_, 2023

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Jean Spratlin, Clerk of Commission

Date: \_\_\_\_\_