

**PLYMOUTH TOWNSHIP
DRAINAGE COMPLAINT POLICY**

Complaint Received During Subdivision/Land Development Construction (Prior to Dedication)

1. Resident Living in Development: Upon receipt of any drainage complaint received by phone, the resident should be directed to forward a letter directly to the Developer requesting a response within 30 days with a copy to Plymouth Township and the Township Engineer.
2. Resident Not Living in the Development: The Township will send a letter to the Developer requesting a response within 15 days with a copy sent to the resident and Township Engineer. The correspondence sent to the Developer should reference the requirements of the specific Land Development Agreement for the project.
3. Upon receipt of a response from the developer, the Township and Township Engineer will review the proposed solution to determine if the solution is reasonable and not in violation of any Township Ordinances, project permits, etc.
4. Should the developer deny responsibility or does not respond, the Township, Township Engineer and Township Solicitor should determine if the complaint involves violations of the Township Ordinances, project permits, the Land Development Agreement, etc.
5. If Developer is not at fault/no action can be taken: The Drainage complaint will be evaluated using the “Drainage Complaint by a Resident Not in a Development Under Construction” section.
6. If Developer is at fault: If the design and/or installation of the improvements proves to be defective during or after actual construction, the Developer shall be obligated to modify the improvements to the satisfaction of the Township at the Developer's sole cost and expense.

Drainage Complaint by Resident Not in a Development Under Construction

1. Resident should be directed to write to the Township, describing the problem in detail. It is strongly encouraged that the resident includes photographs whenever possible.
2. Upon receipt of the complaint, the Township will schedule a site inspection with a representative of the Township and the Township Engineer.
3. The Township and Township Engineer will evaluate the following:
 - a. What is the problem?
 - Flooding
 - Water in structure due to flooding
 - Water in structure due to groundwater
 - Erosion
 - Standing water
 - Spring or other natural occurrence
 - b. Is the problem new or has it occurred before?
 - c. Was the problem created by an unusual occurrence, such as excessive rainfall?

- d. Has something changed within the watershed?
- e. If upstream construction has increased or redirected flow, was the construction performed with Township approval?

Guidelines for Action

1. If it is determined that the Township's storm sewer system failed, and is the cause of the problem, the Township will evaluate and facilitate the required repairs.
2. If the Township's storm sewer system is found to be inadequate and causing the problem, the Township will keep a list of all such inadequacies and during the budget process will determine which improvements have the highest priority.
3. If a change in the watershed is found to be the cause of the problem and permits/approvals were issued by the Township, the Township and Township Engineer will investigate to determine if there are any Ordinance or permit violations, or if the improvements are being constructed according to the approved plans.
 - a. If NO Ordinance violations are found and the improvements are being constructed in accordance with the approved plans this becomes a civil matter between property owners.
 - b. If Ordinance violations are found, or if the improvements have not been constructed according to approved plans, the Township will take necessary action against the violation.
4. If a change in the watershed is found to be the cause of the problem and approvals should have been obtained from the Township, the Township will take the necessary action against the violation.
5. If a change in the watershed is found to be the cause of the problem and the cause is natural, or does not require Township approval, this becomes a civil matter between property owners.
6. If the problem does not fall into any of the above criteria, the Township/Township Engineer will evaluate the problem and based on a priority system, the solution to the problem *may* be funded through the budget process. The priorities would be:
 - a. Health, safety and welfare.
 - b. Serves the community rather than a small group or single user.
 - c. The level of financial involvement from those being affected.
 - d. If the problem can not be fixed by the homeowner without community help.
7. If it is determined that the problem was caused by the homeowner, the Township should not get involved.