

Resolution to Adopt the Town of Proctor Road Drainage System Maintenance Policy

On this _____ day of _____, 2007 the road drainage system maintenance policy contained in this document are hereby adopted by the Town of Proctor Selectboard.

Richard Norris, Chair

Bruce Baccei

George Finch

Peter Jalbert

Audrey Tilden

General Information

- Sec. 1 The most important objective in road drainage control is to direct water away from the road. There are three components to the road drainage system: the roadway, culverts, and ditches. The roadway is the high point of the drainage system. Together with the other two basic components, culverts and ditches, they convey stormwater away from the road and assist in reducing flood-related damage.
- Sec. 2 The most economical and effective means of reducing potential flood damage to roads is through continuous, long term, preventative maintenance of the road drainage system.
- Sec. 3 The purpose of this policy is to define who is responsible for maintaining culverts and ditches, both within the highway right-of-way and on private property.

Road Drainage System Maintenance Responsibilities

- Sec. 1 19 V.S.A. § 950 gives Selectmen the authority to “lay out, establish, construct, or cause to be constructed and maintained a drain, ditch, or watercourse leading from a highway in the town, across the lands of any person to a watercourse, to carry away the surface water from the highway, . . . if they judge the public good or the necessity or convenience of individuals requires this work.”

19 V.S.A. § 952 then requires that “the town shall properly maintain the drain, ditch or watercourse and keep it in good and sufficient repair until, upon notice and hearing, it is discontinued.”
- Sec. 2 Therefore, the primary responsibility for maintaining, repairing, restoring culverts and ditches, both within the highway right-of-way and on private property lies with the Town of Proctor. With the following exceptions:
 - a. Driveway culverts and ditches along driveways. Driveway culverts and ditches along driveways are the responsibility of the property owner.
 - b. Culvert/ditch failure due to obstruction caused by something other than run off from the town highway. In cases where a property owner’s actions, intentional or unintentional, have caused a culvert or ditch to fail, the offending property owner is responsible for restoring the system.
- Sec. 3 In the event that the Town must perform maintenance or repair work on a culvert or ditch on private property, an agreement or easement must be obtained to allow access onto the property for said work.