

<h1>POLICY MANUAL</h1>	Date Adopted: November 12, 1996
Classification: ENGINEERING OPERATIONS	Date Last Amended:
Subject: Encroachments, Storm Drainage Easements	Approved By:

**I. Purpose:**

In cases where the District's storm drainage facilities are located within easement areas it is necessary for the District to protect its ability to access the facilities for construction, installation, operation, maintenance, repair, and reconstruction. In order to accomplish this it is necessary to limit the placement of improvements by others within the easement area such that improvements are not constructed or placed in a manner, which will create a significant impediment to such activities.

**II. Policy:**

- A. No structures shall be located within the easement area.
- B. No roof overhangs shall be located with the easement area unless specifically approved by the District Engineer. No roof overhangs shall be located within the easement area, which extend more than 18 inches horizontally into the easement.
- C. No trees with a mature height of more than 15 feet shall be placed within the easement area.
- D. No swimming pools shall be constructed within the easement area.
- E. No improvements shall be located within the easement area except those, which may be easily removed and replaced as determined by the District. Improvements which are generally acceptable include, but are not necessarily limited to, asphalt paving, standard concrete sidewalks, concrete curbs or curb and gutter, concrete slabs less than 8" thick and not having special decorative finishes, concrete block walls crossing the easement perpendicular to the storm drain, and landscaping except for trees as specified in Paragraph No 3 above.

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- F. All improvements constructed or placed by others within easement areas shall remain the responsibility of the owner of the improvement to remove and replace as necessary to accommodate the District's ability to access the storm drainage facilities within the easement. At the District's discretion the District may elect to remove and replace such improvements at District expense but is not legally obligated to do so.
  
- G. All encroachments which are specifically approved by the District Engineer shall be documented through the recording of an encroachment agreement signed by the owner of the improvement.
  
- H. The District Manager shall have the right to approve encroachments, which do not meet the criteria of this policy if in the District Manager's determination the circumstances warrant the approval. If such encroachments are approved by the District Manager the encroachment shall be documented through the recording of an encroachment agreement signed by the owner of the improvement.