

Town of Chincoteague Drainage Maintenance Program

1. Objective: This Maintenance Program Procedure specifies responsibilities and procedures for inspecting and cleaning the canals, creeks, ditches and basins within the jurisdiction of the Town of Chincoteague Island, Virginia.
2. Responsibilities
 - a. The Director of Public Works is responsible for the administration of this Drainage Maintenance Program. The Director or his designee shall inspect the canals, creeks, ditches, and basins and insure that they are cleaned in accordance with this Drainage Maintenance Program.
 - b. The Director of Public Works or his designee is responsible for maintenance of all drainage facilities located on public properties.
 - c. All work on State and Town property and road rights-of-way shall be coordinated with the appropriate State, County and Town offices.
 - d. Property owners are responsible for maintaining the canals, creeks, ditches and basins on their properties. Town personnel shall not enter onto private property unless an easement has been obtained, verbal or written permission has been given, or the problem is deemed an emergency and guidance has been approved from the Town Attorney.
 - e. The Town Zoning Administrator is responsible for enforcing Town Code Section 22-62 (10), an ordinance prohibiting dumping and depositing material in the creeks, basins, canals, ditches or other drainage ways within the Town of Chincoteague Island.

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3. Jurisdiction
 - a. This Drainage Maintenance Program covers the canals, creeks, ditches and basins as listed in Attachment A and further delineated on the Town's 911 maps, Appendix B.

4. Authority

- a. The Public Works Director or his agent has the responsibility to inspect and maintain all canals, creeks, ditches, and basins on Town right-of-ways and those properties where an approved drainage easement has been granted.
- b. The Town reserves the right to inspect and maintain all channels and canal banks of all navigable waters within the corporate limits.

5. Identification of Problems

- a. The Director of Public Works or his designee shall inspect all the drainways listed in Section 3 twice a year. One inspection will be conducted prior to January, before northeaster season and one shall be conducted prior to June 1, the beginning of hurricane season.
- b. Each Wednesday morning and within 24 hours of a major storm, the Director of Public Works or his designee shall inspect the following locations:
 - (1). Fowling Gut at the intersection of Main Street.
 - (2). Fowling Gut at the intersection of Beebe Road.
 - (3). Fowling Gut at the intersection of Bunting Road.
 - (4). Fowling Gut at the intersection of Church Street.
 - (5). Fowling Gut at the intersection of Maddox Blvd.

- c. The Director of Public Works or his designee shall inspect all complaints submitted by residents, the Health Department, and other agencies. Such complaints shall be recorded on the Town's **Drainage Problem Report** Form, a copy of which appears as Appendix C. The Director shall ensure that an inspection is conducted and the findings provided to the person submitting the complaint within 7 working days.

- d. The results of all inspections shall be noted on the Town's **Drainage Inspection Report** Form, a copy of which appears as Appendix D. Copies of the completed form shall be kept by the Public Works Department.
- e. If an inspection identifies a problem, the inspector shall complete the Town's Drainage Problem Report.
 - (1). The top portion of the form shall be completed by the individual identifying the problem.
 - (2). The Director of Public Works shall complete the middle portion of the form and assign a work priority to the project. A copy of all forms shall be kept by the Department to assist in tracking the response to the problem.
 - (3). The maintenance crew supervisor assigned to the project shall complete the bottom portion of the form.
 - (4). When the form is completed, it shall be filed in the Public Work's Department drainage files.

6. Maintenance:

- a. There are four types of drainage obstructions:
 - (1). Trash: human-made objects, such as garbage, shopping carts, tires, lumber, furniture, and appliances. Animal carcasses are also included in trash.
 - (2). Minor obstructions: vegetation growth, tree limbs, and other "naturally" occurring debris.
 - (3). Major obstructions: fallen trees, culvert damage, jam, large appliance or car body, that by itself obstructs the flow of waters.

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- (4). Structural project: bridge or culvert replacement, bank stabilization, dredging or other major project that requires a separate permit from the Corps of Engineers, VDOT or other approved agency.

b. Maintenance Duties:

- (1). On public property: The Director of Public Works shall schedule a maintenance crew to remove trash and minor problems. Obstructions shall be removed within 2 days of being reported.

(2). On private property with drainage maintenance easements: trash, minor problems, and obstructions shall be reported to the owner. If the owner does not remove the problem within 7 days, the Director of Public Works shall assume responsibility for the problem and treat the site as public property. The owner shall reimburse the Town for its labor and equipment, materials and other costs such as landfill fees, etc.

c. Upon completion of a maintenance project, the responsible crew chief shall complete the drainage problem report and provide it to the Department of Public Work's for filing.

Town of Chincoteague Drainage Inspection Report

Date: _____ Inspector:

Type of inspection: Post-storm Routine
 Citizen Complaint _____

I have inspected the following surface drainage facilities and found them as noted. A drainage problem report has been completed for all problems found and forwarded to the responsible party.

Problem Areas:

No problem	Problem found	Fowling Gut (Main to Beebe)
No problem	Problem found	Fowling Gut (Beebe to Bunting)
No problem	Problem found	Fowling Gut (Bunting to Church)
No problem	Problem found	Fowling Gut (Church to Maddox)

Routine Inspections:

No problem	Problem found	Site:
No problem	Problem found	Site:
No problem	Problem found	Site:
No problem	Problem found	Site:

Comments:

Inspector: _____ Date:

Appendix C

Town of Chincoteague Drainage Problem Report

Date: _____ Inspector: _____

Type of inspection: Post-storm Complaint Routine

Location: _____

Type of Problem: Trash Minor Obstruction Structural

Recommended maintenance:

Equipment needed:



Date: _____ Right of Entry needed? _____

Work Order description:

VMRC, Corps Of Engineer or ACWB Permit needed?



Date: _____ Crew Chief: _____

Maintenance performed:

Inspected by: _____ Date: _____

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ENVIRONMENT
ARTICLE III. NUISANCES
DIVISION 1. GENERALLY

Sec. 22-61. Prohibited generally.

It shall be unlawful for any person to cause, harbor, commit or maintain or to suffer to be caused, harbored, committed or maintained any nuisance as defined by the statutes or common law of this state or as defined by this Code or other town ordinance at any place within the town.

Sec. 22-62. Certain nuisances enumerated.

(a) The following acts when committed or conditions when existing within the town are defined and declared to be nuisances:

(10) a. The filling or placing, or permitting the filling or placing, or allowing to remain and/or the maintaining of, any material or substance, whether manmade or natural, in any creek, basin, canal, ditch, or any other drainage way, whether on public property or private property, which in any way impedes, obstructs, blocks, adversely alters, or otherwise detrimentally affects the volume or flow of water through such creek, basin, canal, ditch, or other drainage way.

As to any such creek, basin, canal, ditch, or other drainage way on private property, this provision shall only apply to those creeks, basins, canals, ditches, or other drainage ways which, when connected to other such creeks, basins, canals, ditches, or other drainage ways constitute the system, or a part thereof, that drains public lands or improvements within the town, or otherwise assists in the removal of stagnant water from such private property whereon such creek, basin, canal, ditch, or other drainage way is situated. Prior to performing any work, such private owner shall seek a determination by the director of public works as to whether such creek, basin, canal, ditch, or other drainage way is subject to or exempt from this provision.

- b.** Notwithstanding the provisions hereinabove any private land owner, if otherwise in compliance with all other provisions of law, may place piping and suitable fill in any such creek, basin, canal, ditch, or other drainage way situated on such owner's private property, expressly provided such is installed in accordance with a plan approved by the town director of public works, which plan shall specify such pipe size and type, the fill material, and all other specifics required by the director of public works to ensure that the existing volume or flow of water is not adversely affected, or adversely affects the drainage of any adjacent properties. The director of public works shall issue a permit for the work and such work shall be completed in strict accordance therewith. Such work shall be inspected by the director of public works upon its completion. The fee for any such permit shall be as specified by the town council from time to time.
 - c.** Whenever any such material or substance is caused to be deposited into any such creek, basin, canal, ditch, or other drainage way on private property by Acts of God, or other natural causes, such material or substance may be removed by the town at no cost to the landowner.
- (b)** The nuisances described in this section shall not be construed as exclusive, and any act of commission or omission and any condition which constitutes a nuisance by statute or common law of the state, when committed, omitted or existing within the town limits, is declared to constitute a nuisance.

The Town reserves the right to enter upon such property to correct any activity not permitted under this ordinance and to recover the costs incurred by the Town in performing the correction.

Any person, firm, association, corporation or other legal entity violating any provision hereof shall be guilty of a misdemeanor and upon conviction thereof shall be fined up to two hundred fifty dollars (\$250.00). Each day in violation shall constitute a separate offense.

ENVIRONMENT
ARTICLE IV. EROSION & SEDIMENT CONTROL.

Sec. 22-126. Town subject to county ordinance.

Pursuant to Code of Virginia, Section 10.1-526, the town shall be subject to the erosion and sediment control ordinance of the county, as such ordinance may be in full force and effect from time to time. Such ordinance shall be enforced by the county within the geographical boundaries of the town.

Regarding regulated land-disturbing activities:

No person, firm, association, corporation or other legal entity shall engage in any land-disturbing activity or develop any land for residential, commercial, industrial or institutional use until a stormwater management plan has been submitted to and approval has been obtained from the Town.

The stormwater management plan shall be submitted to the Town Director of Public Works and the Town Building and Zoning Administrator for review and approval. At minimum, the plan shall include the information specified in Appendix E. All inspections when required shall be done by the Town Building Official.

The Town reserves the right to enter upon such property to correct any activity not permitted under this ordinance and to recover the costs incurred by the Town in performing the correction.

Any person, firm, association, corporation or other legal entity violating any provision hereof shall be guilty of a misdemeanor and upon conviction thereof shall be fined up to two hundred fifty dollars (\$250.00). Each day in violation shall constitute a separate offense.

LIST OF DRAINWAYS

<u>911 Map Sheet</u>	<u>Name/Description of System</u>
17	Ditch at 5544 Main Street
200	Winder Lane Ditch & Basins Oak Spring Lane Ditch & Basins
203	Misty Meadows Ditch & Basins Mifflin's Marsh Ditch Coral, Pearl & Shell Lagoons
205	Savage Street Ditch
206	Hallie W. Smith Ditch & Basins Chicken City Ditch & Basins Hancock Lane Ditch Mathews Lane Ditch Hopkins Lane Ditch
208	Accomack Street Basins
209	Myrtle Lane Ditch Church Street Basin Bayberry Lane Ditch Megan Drive Ditch
210	Eel Creek Ditch Chester Park Ditches Highland Park Ditch Beach Road Ditches Meadow Drive Ditch
212	Fowling Gut LeKites Drive Basin Thornton Street Basin Bunting Road Ditch
213	Sunnywood Ditch & Basins Wayne Road Ditch Lookout Lane Ditch & Basins Church Street Extended Ditch

214	Beebe Road Basin Memorial Park Ditch Eastside Ditch & Basin
217	Ocean Breeze Ditch

At minimum, the Plan shall include:

1. The name, address and telephone number of the applicant, owner, developer and all others responsible for the property.
2. A plat or map of the property that also shows how it joins adjacent properties.
3. The size and location of all existing and proposed structures.
4. The size, location and direction of flow of all existing and proposed drainways.
5. The location of existing or proposed areas where stormwater will collect or percolate into the ground.
6. The location and volume of fill material to be placed on site.
7. The location and area to be covered with any impervious surface material.

TOWN OF CHINCOTEAGUE INC.

**DRAINAGE
MAINTENANCE
PROGRAM**