



Frequently Asked Questions Related to Surface Water Drainage

Naturally occurring water run-off follows the path of least resistance downhill according to the lay of the land through public & private properties. It is the property owner's responsibility to control and maintain water run-off across their private property, this includes all surface run-off and/or underground through privately installed pipes. Each property owner is expected to take reasonable steps to protect their land from surface and water run-off. In general, a neighbor will not be responsible for issues involving runoff from naturally occurring rain and land conditions.

If your neighbor has landscaped or altered their land in some other way that causes more water to run onto your land than would otherwise naturally occur and that the alteration was unreasonable, then you may have some recourse with the neighbor. You should consider meeting with your neighbor to discuss the problem that is affecting your property and work towards a mutually agreeable solution.

The City of Crestview Hills has no mechanism for policing proper storm water drainage on private property unless there is a publicly installed piping system. In many cases, there is nothing that the City can do to prohibit a property owner from draining water onto a neighboring lot.

Other general questions:

- **There is new construction behind my lot and I'm having drainage problems due to the construction. Is there anything the City can do to make the developer drain their development away from me?**

There is a misconception that new development is not allowed to drain onto existing development. If the area drained onto the adjacent property prior to development, in most cases it may continue to do so after development. New development may not worsen existing drainage patterns. If problems are being created during construction, please contact the City of Crestview Hills and we will investigate to determine whether the development is being properly constructed, that the runoff is being properly managed and contact the appropriate agencies if additional actions are needed.

- **The new construction behind my house is causing a lot of dirt and sediment to enter my yard. Can the City force the builder to place erosion protection on their lot?**

The developer of a subdivision or a commercial site is required to maintain stormwater pollution prevention controls on the property until adequate vegetation is established.

- **Some subdivision plats have a "surface water drainage easement" area shown on the plat to allow for natural drainage, who is responsible for maintaining this easement area?**

The surface water drainage easement is shown on the plat to help notify the property owner that there is a natural drainage through their property that needs to be maintained. The property owner is normally responsible for maintaining for the surface water drainage

easement area unless there is specific language identifying a specific entity for maintenance such as Sanitation District No. 1.

- **My neighbor has been draining their swimming pool onto my lot. Who can I contact to stop this?**

If the pool is draining onto private property, then it is a civil matter between property owners. You should contact your neighbor to ask that he or she find another way to drain the pool.

- **My neighbor has done some work on their lot and now I'm getting more runoff. What can I do?**

It is generally not a violation of the law for one lot to drain onto another, and you should try to perform work on your lot to help your yard drain more efficiently. We advise that you meet with your neighbor and discuss the problem to work toward a mutually agreeable solution. If this is not possible, consider grading swales on your property to convey the runoff around your home. Swales are depressions similar to wide shallow ditches that will collect runoff and take it to a more desirable area, typically the street or backyard. If swales are graded, care should be taken to ensure that grass is established so that they do not immediately fill up with silt. Occasionally, area drains may be considered. However, we do not generally recommend them for surface flow situations. Area drains typically do not have the capacity to handle the volume of runoff that is threatening to flood a home and must be frequently cleaned of leaves and debris to function properly.

- **I have discussed my drainage problems with my neighbor, but they will not work with me. I have considered placing swales or other improvements on my property, but it is not feasible. Is the City responsible for ensuring proper drainage on my lot?**

The City is not responsible for ensuring proper drainage on privately-owned property, and sometimes can only help facilitate communication between property owners to resolve the matter. If it is impossible to remedy the problem by working with your neighbor, then civil court action may be your next step. This should be a last resort to resolving drainage problems. If water is flowing as it naturally would, then it may be difficult to make a claim or complaint. Property owners are responsible for maintaining drainage on their own property. You could also consider hiring a civil engineer with expertise in storm drainage to examine alternative solutions.

- **After it rains, there is a puddle in my street gutter. Will the City repair the street to eliminate the gutter ponding?**

If your street is public, Crestview Hills will evaluate the problem based on the severity of the ponding. If the problem is minor, it will likely not be addressed until such time as major maintenance is performed on your street. If it is an impediment to traffic safety, city staff will address the issue. If you live in a private subdivision and/or on a privately maintained street, then it is the responsibility of the homeowner's association or the individual homeowner to correct the problem.

- **The storm drain system on my street does not appear to be functioning as well as it used to. What can the City do?**

The storm drain system may have become clogged – please call the City Building to let us know. If there is a problem with a public storm drain system, the City will contact the appropriate agency to have it inspected for blockage and remove debris if present. If the system is private, then it is the responsibility of the homeowner’s association or the individual homeowner to maintain the system.

- **What can I do to determine if I have a groundwater problem?**

Water samples can be taken to help determine if the water is drinking water, sanitary sewer water or natural groundwater. The Northern Kentucky Water District (NKWD) and/or Sanitation District No. 1 (SD1) can assist with this testing, depending on the location of the problem to their respective utility location. NKWD can also check the water meter for possible underground leaks on your private line. You should be notified of the results. If it is groundwater, then it is the property owner's responsibility to address the problem. You may wish to contact a civil engineer or landscape contractor experienced in drainage problems.

- **A hole has developed in my yard over a public stormwater or sanitary sewer pipe system. What can the City do?**

If the system is public, we will investigate the cause of the problem and take appropriate actions to make repairs to the system. If the system is private, then the owner of the system is responsible for maintenance.

- **I have a drainage problem on my property and none of the above questions seem related to it. Who can I call?**

Please contact the City of Crestview Hills at 859-341-7373. We will research the location and will call you back to discuss your concerns and give you some guidance on what entity to contact.