BACKGROUND

This Policy Statement addresses the discharging of sump pumps within the public right-of-way. A critical reason for establishing this Policy Statement is to address issues pertaining to the constant flow of groundwater that has the potential to undermine the integrity of streets, curbs, gutters, and sidewalks by causing these surfaces to deteriorate more rapidly. On May 24, 1993, the Governing Body approved several guidelines for the placement of sump pump discharge lines within the public right-of-way. This Policy Statement will formalize those procedures.

PURPOSE

It is the purpose of this Policy Statement to:
- address the discharge of sump pump facilities within the public right-of-way;
- act as an enforcement mechanism for non-compliance; provide staff guidance for enforcement; and,
- provide guidance when enforcing Shawnee Municipal Code (SMC), Section 12.06.220, and Section 08.28.050.

POLICY

Sump pump facilities may not be discharged in the public right-of-way, per SMC Subsection 12.06.220(e), unless an adequate drainage structure such as a curb inlet or area inlet or a roadside ditch exists and can be connected to in order to carry the flow of water being discharged. The requirements for connecting a sump pump to such structures are as follows:

A. A Right-of-Way Work Permit shall be required for all sump pump discharge facilities located within the public right-of-way.

B. A sump pump connection into a curb inlet that is located within the public right-of-way adjacent to the property or to an area inlet that is located within a public drainage easement adjacent to the property shall be connected directly to the public storm sewer structure by core drilling the side of the structure and sealing the gap around the pipe with grout or concrete.

C. The requirements for discharging a sump pump into a curb inlet that is located within the public right-of-way and not abutting the property are as follows:

1. The property owner shall pay for the public storm sewer system to be extended. The storm sewer system extension shall be located within the public right-of-way and shall be constructed in accordance with the latest version of the Shawnee Design and Construction...
Manual. The extension shall be treated as a public improvement and shall be designed by a Kansas licensed professional engineer.

2. At such time as the public storm sewer system extension is completed, all sump pump discharge facilities connected thereto shall comply with Sections A and B above.

D. In the case of a sump pump discharge or ground water seepage that creates a continuously wet area in the public right-of-way causing a public nuisance, the requirements for discharging a sump pump into a curb inlet that is located within the public right-of-way but not abutting the subject property and is less than 500 feet from the subject property are as follows:

1. The sump pump discharge facilities located within the public right-of-way shall be constructed and paid for by one or more property owners and may consist of a PVC pipe with a minimum diameter of 6 inches with a clean-out connection located at two-hundred foot intervals. The City shall provide maintenance for the portion of the 6-inch PVC pipe and clean-out connections located within the public right-of-way and paralleling the street centerline. No 6-inch pipe will be allowed to be placed under the street or concrete curb and gutter.
   a. Sump pump discharge facilities shall be connected directly to a public storm sewer structure by core drilling the side of the structure and sealing the gap around the pipe with grout or concrete.
   b. A separate Right-of-Way Work Permit shall be required at such times that additional adjacent property owners connect to the 6 inch PVC pipe.
   c. All property owners abutting the affected right-of-way shall be notified prior to the start of construction.

E. Sump pump discharge facilities connected directly to a roadside ditch on a ditch section street shall be done so by trenching a pipe from a point of origin to a point within the ditch to provide for positive drainage. If necessary, the ditch shall be re-graded to provide for positive drainage.

F. In case there is no inlet to connect to, the property owner may be allowed to connect directly into the storm pipe. The decision to allow this type of connection will be on a case by case basis and at the discretion of the City Engineer.

G. Inspection shall be obtained prior to completion of the work.

IMPLEMENTATION

This policy shall remain in force until officially changed by the majority of the Council Members present and voting; where the number of the favorable votes is one (1) less than required the Mayor shall have the power to cast the deciding vote in favor of the action.
POLICY STATEMENT
Sump Pump Discharge Facilities within the Right-of-Way

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APPROVAL AND REVISION DATES
February 27, 2006; April 14, 2014

OTHER REFERENCES
August 5, 1993 Letter to Johnson County Wastewater regarding sump pump discharges
SMC Section 12.06.000 – Right-of-Way Management
SMC Section 08.28.050 – Encroachment prohibited
SMC Section 12.08.070 – Permitting water to run into streets.
February 27, 2006 City Council Minutes, Agenda Item 13c
April 14, 2014 City Council Minutes, Agenda Item H2

Jeff Meyers, Mayor
Stephen Powell, City Clerk