



ENVIRONMENTAL SERVICES
CITY OF PORTLAND
working for clean rivers

Property Owner Responsibilities for Stormwater Management Facilities in the City of Portland

Did you know that since 1999 the City of Portland has required the building and maintenance of stormwater management facilities for all new development that creates greater than 500 square feet of new impervious surface; for all significant redevelopment; and for new connections to the public sewer system?

Q. What are stormwater management facilities?

A. These are constructed facilities that are designed to manage and treat stormwater runoff from impervious areas such as roofs and parking lots. They include simple systems such as grassy and vegetated swales, drywells, pavers, and soakage trenches but also include more elaborate items such as eco-roofs and underground manufactured devices that treat stormwater to remove pollutants.



Q. Why are these required?

A. Historically, as rain fell, it soaked into the ground where it replenished groundwater and slowly migrated to streams and rivers. With increasing urbanization, more and more stormwater runs off roofs, streets and parking areas into pipes that directly convey stormwater runoff to streams and creeks. This increases the flow in the streams causing flooding and erosion along the streambank. In addition, it can pick up pollutants such as oils, metals and other substances that are harmful to fish and other aquatic organisms. Some parts of the City have combined sewers that convey both stormwater and wastewater to the sewage treatment plant. However, some pipes have limited capacity and when the capacity is exceeded a combination of sanitary sewage and stormwater runoff can overflow to the river. In 2011, the City completed construction of the Willamette River Big Pipes to control these combined sewer overflows. Removing as much stormwater from these pipes as possible ensures that the big pipes work as intended and protects ratepayer investments in controlling sewer overflows. That's why the City requires new development of residential, commercial, and industrial

property to install stormwater management facilities as opposed to piping it directly to the sewer.

Q. How do I know if a property has a stormwater management facility?



A. Refer to the property title report. An Operation & Maintenance (O&M) Form would be included. The O&M Form identifies the type, number and location of stormwater facilities on the property. As of January 2016, there are nearly 11,000 facilities installed on close to 6,500 properties. Of these, approximately 60% are single-family residences. The number will increase over time as development continues.

Q. What are the property owners' responsibilities?

A. Property owners are required to maintain the facilities to ensure they function as designed. Generic Operation and Maintenance Plans (Plans) for each type of facility are located in the City's Stormwater Management Manual (available online at <http://www.portlandoregon.gov/bes/64040>). The facility-specific Plans offer direction on servicing facilities to maintain optimum performance, such as replanting vegetation or cleaning sediment from drains and structures.

Q. What are the implications of having to maintain these?

A. These facilities are required to be maintained under City Code 17.38. Some facilities, such as soakage trenches and drywells, which are often inaccessible, may never need maintenance. However, vegetated systems such as swales and planters may need to be replanted if vegetation dies and regularly maintained similar to any landscaping. Other systems, such as manufactured devices and sedimentation manholes need to be cleaned on a periodic basis, sometimes by a contract service, which would add to property maintenance costs. At some point in the future, if the system fails it may need to be replaced. However, many of these systems add value to the property through attractive landscaping and implementing "green" solutions to stormwater management.

If a property has a stormwater management facility, this should be identified during the sales process. Prospective buyers should be aware of the facility, its function, and the maintenance requirements associated with it. They should also be aware of the condition of the facility and if repairs or improvements need to be made. Prospective sellers should ensure that the facilities are in good repair so that they function properly and do not create an obstacle in the sales process.

Q. What happens if the facilities aren't maintained?

A. The City has an inspection program to ensure that the facilities are being maintained. Most inspections are done at commercial, multi-family and industrial facilities because of their size and impact. If deficiencies are noted, the property owner is responsible to make the needed repairs within a reasonable time frame. The City provides guidance and technical assistance on corrective actions as well as information on contractors that can provide needed services. If the deficiencies are not remedied, the City can assess civil penalties in accordance with City Code 17.38.

Q. Where can I get more information?

A. As noted earlier, the City has the Stormwater Management Manual available on its website (<http://www.portlandoregon.gov/bes/64040>). The Manual includes the O&M Plans for the various types of facilities and drawings as well as pictures of the various facilities. The manual is technical in nature as it's intended for building permit requirements so be patient in searching for the items of interest. Information regarding the City's inspection program is available at (<http://www.portlandoregon.gov/bes/45464>). Questions about the inspection program, maintenance requirements, specific properties, or the contents of this article can be directed to michael.pronold@portlandoregon.gov.