



A quick guide to Drainage Easements

What is a drainage easement?

A drainage easement is a legal conveyance attached to a deed and/or plat of a property that provides a mechanism for permanently accessing and protecting stormwater infrastructure and stormwater flow on a property. It obligates the acceptance of stormwater to and from neighboring tracts of land.

What are the purposes of a drainage easement?

A drainage easement preserves a legal path for stormwater runoff through private property. Drainage easements are critical components of the overall stormwater management system and if properly maintained, help prevent flooding in developed areas like residential subdivisions. They show the intended path for stormwater flow and let the current and future property owners know there is a stormwater conveyance or some type of infrastructure on their property.

A drainage easement also provides a mechanism for the City to perform inspections to verify that stormwater conveyances are functioning properly. If the easement contains a pipe(s) owned by the City, it allows the City to perform repair, maintenance and replacement activities.

What stormwater elements may be encompassed by a drainage easement?

Any manmade or natural stormwater conveyance or stormwater management facility. This list includes, but is not limited to, stormwater pipes, junction boxes, inlets, ditches, swales, creeks, drains, culverts, bioretention areas, concrete flumes, above ground and underground detention ponds, and any stormwater treatment device.



How do I know if my property has a drainage easement?

The best place to view the location of a drainage easement is on the final plat of a subdivision. Final plats can be viewed online at gsccca.org or visit Gwinnett County Clerk of Court office at 75 Langley Drive, Lawrenceville GA 30046. There is a fee to access the website. There is no charge to search and view documents in the Clerk of Court office, but there is a fee to print a plat.

How wide is a drainage easement?

Easements vary in width based on the size and depth of the pipe or conveyance. Drainage easements containing open channel conveyances, like ditches and swales, are usually at least 20 feet wide. Drainage easements encompassing pipes might only be 10 feet wide.



Who maintains a drainage easement?

It is the City of Duluth's policy that these easements are dedicated to the public and are NOT maintained by the City except in cases where:

1. The easement is located within the City's right-of-way
2. The easement conveys a City-owned pipe.
3. The easement has been expressly dedicated and accepted into City maintenance.

Except in these cases, the easement, and the infrastructure encompassed by the easement, is to be maintained by the owner of the property on which the easement is located.

How do I maintain my drainage easement?

The property owner must keep the easement clear of all obstructions and ensure that the stormwater conveyance is not hindered by plantings, fences, buildings, leaves, litter, or other obstructions. The easement must be kept in a state that allows for adequate access and inspection.

The easement must be kept stable from erosion, which may require the property owner to vegetate and add stabilization measures as necessary, such as stone. The property owner must maintain all privately owned infrastructure, such as pipes, ditches, swales and ponds, in good and functional repair.

FOR ADDITIONAL INFORMATION

SCAN THE QR CODE OR VISIT:

WWW.DULUTHGA.NET/STORMWATER

770.497.5311 SW@DULUTHGA.NET

