



MAINTAINING DRAINAGE SYSTEMS CONTROLLING SURFACE WATER

What is Surface Water?

“Surface water” generally refers to precipitation that either flows across or stands on the ground surface. It may also be water that has been discharged by a sump pump onto the ground outside the building.

How does Surface Water cause problems?

Surface water can be a problem if it collects and stands in spots on your property for an extended period of time. It may cause grass or other vegetation (such as certain types of evergreens) to die. It may also stand in areas near the building and seep into the ground, and in turn seep through the basement walls and foundation.

In a worst-case scenario, if the surface of standing water rises such that it causes water to flow into basement windows or doors, it may be a source of damage to the interior of your building. When the water reaches that critical level, it is considered a source of local flooding and may warrant review by the City.

Types of Maintenance to prevent problems

There are different types of things that a property owner can do to prevent or correct problems caused by surface water:

- As much as possible, maintain the ground on your property so that it slopes away from the building. A continuous slope should be provided all the way to a swale, ditch, creek, pond or drainage structure (e.g. a storm grate or inlet to a storm system) to carry the water away from areas that can be damaged on your property.
- Drainage swales, ditches, inlets, etc. should be kept clear of obstructions. This refers to branches, leaves, grass and debris that often collects on storm grates, at inlets or in the flatter portions of ditches. This occurs particularly after a rainstorm, which is the best time to check for debris to make sure that the system will work well in the next storm.
- Where ground settlement has occurred and water stands where it did not previously, it may be a good idea to fill the depression with topsoil, gravel or whatever material was already there.
- Sump pump discharge piping should not be directed into low areas that collect water. The pumped water should be evacuated at least 10 feet away from the house, and down the grade away from the house. It should not be directed onto a neighbor's lot if at all possible (unless that is the “natural” direction of drainage from your lot), towards window wells, or onto a septic system drain field.

Some frequently asked questions about surface water:

Q. Can you direct gutter downspouts, sump pump discharges and drainage swales to your neighbor's property?

A. The answer is yes. Virtually all land drains eventually to some type of waterbody (i.e. creek, river, pond or lake), so most properties have to drain across adjoining properties. This is true unless the property is next to a waterbody or has an inlet at one or more points on the property, usually in the street or a corner of the yard.

Q. Why is drainage across private properties allowed?

A. Drainage paths for water from other properties are usually contained within Drainage Easements. These are necessary for the reasons given above. A government agency, usually the City, has rights to enter upon an easement if there is a problem that needs to be corrected. You should refer to the Plat and Title Policy you probably received when you bought your property. These should have any information about any existing easements. These can be either on your property or your neighbors' property, indicating that you have rights to drain through it.

In the absence of a formal easement, Illinois Drainage Law allows for your property to drain in the direction of “natural” drainage. This is not always really “natural” however. This is because the developer of your subdivision and the builder of your house most likely reshaped the land somewhat to put in the area-wide drainage system and your house. Again, in that case, an easement usually is placed over the land through which the drainage runs.