



CITY OF TOPEKA
Utilities & Public Works Departments
Joint Administrative Policy No. JU/PW03

DRIVEWAY CULVERTS POLICY

Purpose: The purpose of this policy is to set forth procedures regarding the installation, maintenance and/or replacement of driveway culverts to ensure proper drainage of the roadways and compliance with the City's standard technical specification and permit practices.

Background: Property owners must be able to access their property wherever a ditch exists, however proper drainage is essential to preventing localized flooding and premature deterioration of our roadways. Property owners are often uncertain of requirements regarding installation, maintenance and/or replacement of driveway culverts located on their property, as well as permitting requirements. The City recognizes the high cost to property owners for the replacement of a failed driveway culvert and has developed the following guidelines to assist owners with said replacement.

Applicability: This policy applies to property owners within the city limits of Topeka, Kansas.

Effective Date: 2/11/2019, Revised 1/11/2021, Revised 4/26/2022

Office of Primary Responsibility:

Primary responsibility for enforcement of this policy shall be with the Directors of Utilities and Public Works, or their designees, herein referred to as "Directors". Determination of eligibility for financial assistance shall be made by the Planning Department Director or his or her designee.

Policy:

Driveway culverts, often referred to as tubes, pipes or whistles, are to be addressed in the following manner:

Culverts are considered part of the driveway approach and as such are owned by the property owner who is responsible for installation, maintenance, repair and replacement. Owners wishing to modify, replace or perform other work on their culvert must obtain the applicable permit(s). Right-of-way (ROW) permits are available from Development Services. Construction Inspection is required and will be provided by the Water Pollution Control Division of the Utilities Department. Culverts must meet the City's minimum design standards unless otherwise approved by the Directors. Routine maintenance, including but not limited

to, removing small obstructions (leaves, trash, small tree limbs, etc.), mowing, and maintaining appropriate vegetative cover so as to limit erosion, is the responsibility of the property owner, as is the routine maintenance of the adjacent ditch. The City is responsible for removing significant obstructions, regrading and shaping ditches.

For placement of a new culvert or replacement of an existing culvert, the following procedures are to be followed:

New -The design, purchase and installation of culverts at new construction sites are the full responsibility of the property owner.

Replacement - Existing culverts serving single family residences that have failed may be installed by the City at the property owner's request if the property owner purchases the pipe materials (pipe, end sections and bands, if applicable). Financial assistance is available as set forth in the financial assistance guidelines section below. The City does not sell or provide any material. For those single family property owners who request the City's assistance, the Water Pollution Control (WPC) Division will perform the installation. Property owners with improved drive approaches will be responsible for the restoration of pavement surfaces once the culvert work is complete. Additionally, replacement of culverts serving commercial properties will be at the owner's sole cost.

Financial Assistance Guidelines

- The property must be classified as owner-occupied residential.
- Property owner must purchase the culvert prior to WPC staff installation, unless homeowner qualifies for financial assistance.
- The property owner must not have outstanding permit or code violations and no outstanding indebtedness to the city.

Note: Funding is limited and is available on a first come, first serve basis. The total number of culvert installations per year will be limited to twenty (20).

Homeowners may qualify to have the City purchase the culvert under the following guidelines:

1. Applicant first must meet all qualifications of the culvert program.
2. Applicant household income must not exceed 80% of the current annual median household income as determined by the US Department of Housing and Urban Development (HUD) for Topeka.
3. The cost of the culvert would be a deferred mortgage loan recorded against the property to secure the City's interest in the property.
4. If the property is sold, traded, transferred or refinanced within 5 years, the loan is due in full to the City of Topeka. After 5 years, the City will remove/forgive the lien upon notification by the property owner.
5. If the cost of the culvert is under \$1,000, the work will be done as a grant that does not need to be repaid.

If a property owner prefers, they may install, replace or reset a culvert at their own expense only if the City's technical specifications are met, the property owner is granted the proper permits, and the work does not impact the drainage of storm water through the adjacent ditch.

If a property owner fails to maintain their driveway culvert after being notified it has failed, the City will replace the culvert to restore proper drainage and will seek payment of ALL costs from

the property owner.

The City, at its sole discretion, may replace driveway culverts, driveway surfaces and provide restoration to any disturbed areas at no expense to the property owner when replacement is necessary for the overall benefit of the storm water conveyance system or part of a public improvement project.

The City will not be responsible for the cost of replacement or restoration if the actions of the property owner caused in the failure of the ditch or culvert.

Pipe Sizing Requirements - The minimum size is 15" diameter reinforced concrete (RCP) or corrugated metal pipe (CMP). The Directors, or their designees, may allow for the use of high density polyethylene (HDPE) or polypropylene (PP) pipe. Pipe must have end-sections. In the case of a replacement, the culvert must be the same size or larger than the next upstream culvert but need not be larger than the next downstream culvert unless those culverts do not meet minimum City standards or unless specifically approved by the Directors (Staff should investigate downstream and provide a recommendation for up-sizing if it can be seen such action is warranted.)

Example 1: The upstream culvert is 24" and the downstream culvert is 18". The new culvert must be at least 18".

Example 2: The upstream culvert is 18" and the downstream culvert is 12". The new culvert must be at least 15" because the downstream culvert does not meet minimum size criteria.

Example 3: Both the upstream and downstream culverts are 12". The minimum size for the new culvert is 15", however, adding such a culvert will create a low spot in the ditch which will not properly drain. In this case the Directors should be consulted.

Example 4: The upstream culvert is 18" and the downstream is 24". The minimum size for the new culvert is 18" however the staff should investigate to see if a larger (up to 24") is warranted to handle storm water flows.

APPROVED BY:

Braxton Copley, Utilities Director & Interim Public Works Director

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