



CITY OF PORTLAND
STORMWATER MANAGEMENT DEPARTMENT
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Information for Creekside/PUDE Property Owners

The City of Portland has many creeks and drainage ways that run through town. These waterways are part of the character of our City. However, these areas also present challenges to the community. For the most part, these creeks flow on the surface across private property. Where these creeks intersect City streets, they are piped under the street through culverts. However, some of the smaller creeks or tributaries may be piped underground on private property. Problems occur when these piped, inlets or channels become obstructed. The result of obstruction can often lead to flooding and damage. The risk of flooding is heightened during rainy periods when the flow in these creeks is increased by stormwater runoff. Obstructions occur in both the open and piped sections of the area creeks and are caused by natural and manmade debris. Examples include tree branches that fall into the creek then trap leaves or other debris, thus causing an obstruction. In other cases, debris such as yard trimmings, plastic bags and bottles, buckets, lumber, etc., can block the flow in the creek. In some areas, fences and walkways are constructed across creeks, which also trap leaves and other debris. ***The City is ONLY responsible for the portion of these creeks that cross City streets and other City owned property, easements are not city owned, they are private property.***

As part of the City's normal maintenance, we inspect and clean culverts in the ***City right-of-way*** to ensure they function properly. Property owners are responsible for maintaining sections of creek located on their private property. The City is not responsible for maintenance of creeks on private property. By keeping the creeks clear of debris and obstructions flooding can be minimized. This includes keeping grass clippings, leaves, sticks, branches, and other vegetative debris out of the creek channel and making sure the area around the creeks does not become overgrown to the point where it significantly impairs water flow. ***Particular attention needs to be paid to the entrances to piped sections.*** Once these piped sections become obstructed, it may be very difficult and costly to remove the obstruction, and if located on private property, it is the property owner's responsibility (not the City's) to remove the obstruction.

Stormwater Ordinance 21-105:

(3) **Failure to meet or maintain design or Maintenance standards.** If a responsible party fails or refuses to meet the design or Maintenance standards required for Stormwater Facilities under this Title, the City, after reasonable notice, may correct a violation of the design standards or Maintenance needs by performing all necessary work to place the Facility in proper working condition. In the event that the Stormwater Management Facility becomes a danger to public safety or public health, the City shall notify in writing the party responsible for Maintenance of the Stormwater Management Facility. Upon receipt of that notice, the responsible Person shall have thirty (30) days to effect Maintenance and repair of the Facility in an approved manner. In the event that corrective action is not undertaken within that time, the City may take necessary corrective action. The cost of any action by the City under this section shall be charged to the responsible party.