

AUTHORITY OF THE CLARK COUNTY DRAINAGE BOARD

Before filing a complaint or report with the Clark County Drainage Board, please review the following to be certain that your situation is something which can be addressed by the Board.

The Clark County Drainage Board was established pursuant to Clark County Ordinance 5-2000.

Additional information can be found at the website.

INDIANA CODE 36-9-27.4

OBSTRUCTION OF MUTUAL DRAINS OR NATURAL SURFACE WATERCOURSES

Area:

All of Clark County.

Responsibility:

The County Surveyor visits the site to determine if the issue involves a Mutual Drain or Natural Surface Watercourse and if so, whether there is an Obstruction. The terms Mutual Drain, Natural Surface Watercourse and Obstruction are defined in the statute.

If the County Surveyor reports to the Board that there is an Obstruction the Board gives notice to the parties and holds a hearing at which the owners of the property where the Obstruction exists and the owners of property affected by the Obstruction may present evidence.

Authority:

The Board, based on the evidence presented at the hearing, will determine if the Obstruction was created intentionally and then, depending on that determination, will take steps to remove or cause the removal of the Obstruction.

CLARK COUNTY ORDINANCE 2010-11

REVIEW AND APPROVAL OF DRAINAGE PLANS

Area:

The unincorporated areas of Clark County.

Responsibility:

With a few exceptions, the review of drainage plans for a new development or redevelopment activity which disturbs 1 acre or more, to be certain that the drainage plan meets the minimum

standards set forth in the Ordinance.

Procedure:

The plans are reviewed by the Clark County Engineer or the Clark County Surveyor and a report is presented to the Board.

Authority:

So long as the plans meet the minimum standards set forth in the Ordinance the Board will approve the drainage plan.

ORDINANCE 13-2007

INVESTIGATE DRAINAGE DEFECTS, INCIDENTS OR DRAINAGE PROBLEMS

Area:

The unincorporated areas of Clark County.

Responsibility:

Upon the submission of a report, the Board shall make inquiries into potential drainage defects, incidents or drainage problems. The inquiry is usually completed by the Clark County Engineer.

Authority:

The Board, based on the inquiry, will determine whether there is a Clark County governmental agency to which the matter may be referred or whether the drainage matter is a private matter. If appropriate, the Board will make a referral to the appropriate Clark County governmental agency with authority over the geographical area where the drainage defects, incidents or drainage problems exists.

ORDINANCE NO. 20-2004

CONSTRUCTION SITE RUNOFF CONTROL

Area:

A part of the unincorporated area of Clark County.

Responsibility:

The Clark County Soil and Water Conservation District by agreement with Clark County,

administers the stormwater management permitting process. The Board provides assistance to the Clark County Engineer regarding the administration of this Ordinance.

Authority:

The Board has only advisory and support responsibilities under this Ordinance.

WHERE THE CLARK COUNTY DRAINAGE BOARD HAS NO AUTHORITY

The Board has no authority:

- > over issues involving the general flow of surface water or the collection of surface water on private property;
- > to fix or repair constructed drainage structures on private property; or
- > to construct or install drainage structures on private property, unless consents are obtained from all affected landowners and then only if such work is part of an approved County project.