

Summer Village of Larkspur

A BYLAW OF THE SUMMER VILLAGE OF LARKSPUR TO REGULATE SURFACE DRAINAGE

Bylaw Name:	Surface Drainage Bylaw		
Bylaw number	25-06	Date Approved:	April 29, 2025
Reviewed By:		Date Reviewed:	

WHEREAS the Council of the Summer Village of Larkspur has monitored and managed drainage patterns since incorporation to protect road infrastructure and public lands.

WHEREAS property owners are responsible for ensuring that any modifications to their land do not adversely affect neighboring properties including public reserve spaces.

WHEREAS the incorporation of the summer village did not include any grading or surface drainage plans or engineering and as such issues occur depending on conditions where surface runoff does not have a formal directed path. The summer village and private property owners do what they can such as to not exasperate this historical site conditions.

NOW THEREFORE, the Council of the Summer Village of Larkspur, duly assembled, enacts as follows:

1) DEFINITIONS

- a) "Council" means the elected officials of the Summer Village of Larkspur.
- b) "CAO" means the Chief Administrative Officer of the Summer Village of Larkspur.
- c) "Private Property" means land owned by individuals or entities within the Summer Village.
- d) "Public Land" means land owned or controlled by the Summer Village.
- e) "Drainage Work" means any modification to land or infrastructure to direct or control water flow.

2) GENERAL PROVISIONS

- a) The Summer Village shall monitor drainage patterns annually, considering normal precipitation and runoff levels.
- b) The Summer Village shall maintain and protect road infrastructure, ensuring drainage courses remain clear and sufficient for normal runoff.
- c) Property owners are responsible for ensuring that alterations to private property do not negatively affect drainage on neighboring lands, whether public or private.
- d) Unauthorized obstruction, redirection, or alteration of natural drainage paths is prohibited.
- e) Property owners may be required to restore drainage patterns if unauthorized modifications result in adverse effects.

3) COST RESPONSIBILITY

- a) Drainage work necessary for the protection of public infrastructure and lands shall be funded by the Summer Village, unless necessitated by alterations to private property.
- b) If drainage issues arise due to actions or inactions by property owners, those property owners shall bear the costs of any required remediation.

- c) Costs may be recovered through direct payment or local improvement assessments on benefiting or responsible properties.
- d) Unpaid charges related to drainage work may be added to the tax roll of the affected property in accordance with the Municipal Government Act.
- e) Fees for drainage-related services and penalties shall be as per the Fees and Charges Bylaw.

4) ENFORCEMENT AND PENALTIES

- a) Drainage work necessary for the protection of public infrastructure and lands shall be funded by the Summer Village, unless necessitated by alterations to private property.
- b) If drainage issues arise due to actions or inactions by property owners, those property owners shall bear the costs of any required remediation.
- c) Costs may be recovered through direct payment or local improvement assessments on benefiting or responsible properties.
- d) Council may impose fines or penalties for non-compliance with this bylaw.

5) ENFORCEMENT AND PENALTIES

- a) The CAO or designated official shall have authority to inspect drainage concerns and order remedial actions as necessary.
- b) Failure to comply with an enforcement order may result in remedial work being completed by the Summer Village at the property owner's expense.
- c) Fines for non-compliance shall be established by Council and may be enforced through municipal bylaws or legal proceedings.

6) REPEAL OF PREVIOUS BYLAWS

This bylaw repeals Bylaw 2/95 A and any previous drainage-related bylaws or policies, including Policy #5 - Drainage Patterns and Control.

7) EFFECTIVE DATE

This bylaw comes into force upon the date of final passing.

Read a first time this 29th day of April 2025

Read a second time this 29th day of April 2025

Received Unanimous consent to be given third reading this 29th day of April 2025

Read a third time and finally passed this 29th day of April 2025

Mayor

Administrator