



## Open Ditch Right of Way Mowing Policy

### Purpose

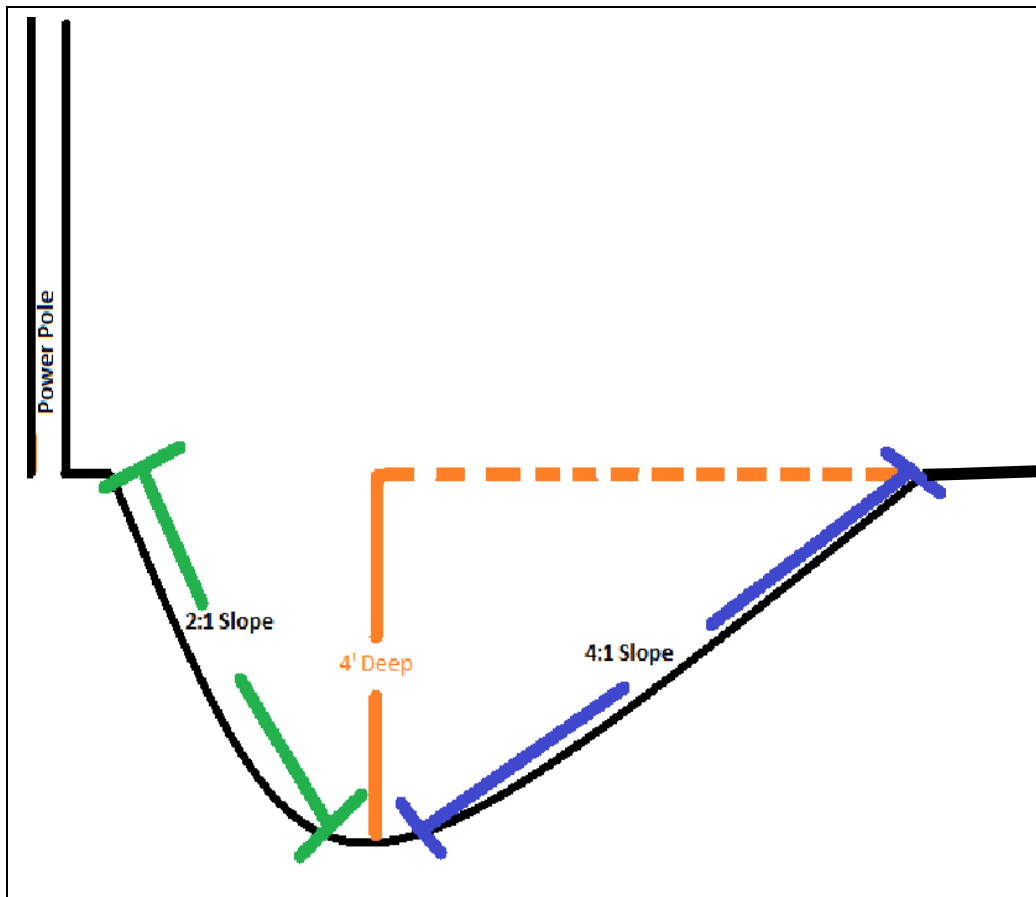
The purpose of this policy is to govern the provision of municipal mowing services along privately owned portions of open ditch right-of-way (R.O.W.) and to outline standards in which qualifying areas receive those services. This policy is in exception to Ordinance 633-4 and inclusive of all qualifying open ditch R.O.W.'s not currently included within the City's maintained inventory.

### Qualifying Criteria

In order for a privately owned piece of property to be eligible for municipal maintenance services the property must be residential or undeveloped property a portion of that property must meet all three of the following criteria and not fall within Brazoria Drainage District #4's right-of-way maintenance program.

- **Major Collector and above roadway classification** – Per the City of Pearland's Thoroughfare Plan, a road must be identified as a Major Collector, Secondary Thoroughfare or Major Thoroughfare to qualify, and;
- **Depth of four feet or greater** – As measured from the top of roadside slope, a ditch must be a minimum of four feet deep to qualify, and;
- **Slope greater than or equal to 3:1** – When calculating the gradient from the top of roadside slope to the flow line of the ditch, the slope must be greater than or equal to 3:1. OR the gradient from the back of the right of way slope to the flow line of the ditch must be greater than or equal to 3:1.

**The following illustration is used to identify the measurement points and qualifying criteria.**



## Parameters

If a portion of private property meets the qualifying criteria required to receive municipal maintenance services, those services will be provided based on the following parameters.

1. A property that meets the criteria with **50% or more** of the frontage meeting the all three of the criteria will receive municipal maintenance services to the entire frontage.
2. A property that meets the criteria but **less than 50%** of the frontage meets all three of the requirements shall only receive municipal maintenance services to the qualifying locations.

## Provision of Services

Eligible locations will receive municipal maintenance services if their property meets

all qualifying criteria. Although these services are initiated by the City, a landowner may opt-out of or into the program at any point by the following:

- Opt-out - A landowner may opt out of the program if they prefer to maintain their property to a higher standard themselves. A request to opt-out of the program must be submitted in writing to the City of Pearland's Public Works Department. A minimum of thirty (30) days from receipt of the written notification will be granted to the City for review the request, communication with appropriate maintenance provider and ceasing of services.
- Opt-in – A qualifying landowner may opt-into the program at any point, following a written request to the City of Pearland's Public Works Department. A minimum of thirty (30) days from receipt of written notification will be granted to the City for review of the request, evaluation of the criteria and scheduling prior to the first maintenance visit. In the event a request is found to be ineligible for the provision of municipal services, a formal written response will be submitted to the requesting landowner within the 30 day response window.

### **Rough Cut Service Level**

Grounds maintenance services will be provided at a minimum of 12 times a year and in accordance with the approved service schedule.

### **Exempt properties**

The Brazoria Drainage District #4 (BDD4) has identified the following roadways and limits as those they commit to provide maintenance services to. Due to the provision of services by BDD4, qualifying properties within the following limits are exempt from this policy and the receipt of municipal services. Brazoria Drainage District #4 will remain the provider of maintenance services within the following limits.

- Stone Road – Westside of road only from C.R. 403 to Clear Creek.
- Max Road – Westside of road only from Lakeside Estates to Brookside
- Roy Road – Westside of road only from Hickory Slough to Brookside
- Garden Road – Westside of road only from FM 518 to Hickory Slough
- O'Day Road – Westside of road only from FM 518 to Bui Drive

### **Enforcement of Ordinance**

Properties that do not meet the criteria set forth in this policy and are not included in the BDD#4 maintained areas, must comply with Ordinance 633-4.