

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY**

RESOLUTION 2021-6-9

**RESOLUTION CONFIRMING TOWNSHIP RESPONSIBILITY TO MAINTAIN
STRUCTURAL COMPONENTS OF PRIVATE DRAINAGE BASINS AND RELATED
DRAINAGE IMPROVEMENTS, INCLUDING GENERAL MAINTENANCE, ON
INDIVIDUAL PRIVATE RESIDENTIAL LOTS IN MANSFIELD TOWNSHIP**

WHEREAS, In the past, developers of residential developments in Mansfield Township constructed retention and detention drainage basins and related stormwater improvements, including inlets, headwalls, riprap, and outfall structures (“drainage improvements”) on private individual lots in the Township, conveying said lots to private residential property owners along with the responsibility to maintain, repair and replace the drainage improvements on the lot; and

WHEREAS, under regulations of the New Jersey Department of Environmental Protection (NJDEP) private residential property owners are not responsible for the maintenance, repair and replacement of the structural components of the drainage improvements constructed on private residential lots, including general maintenance of same; and

WHEREAS, under the Township's NJDEP Tier A MS4 NJPDES permit, the Township is responsible to ensure that the required maintenance, repair and replacement occurs on the structural components of drainage improvements constructed on private individual residential lot is performed when required, including general maintenance of same; and

WHEREAS, the NJDEP and Township have confirmed that the Township is responsible for the maintenance, repair and replacement of the structural components of the drainage improvements including general maintenance of same, constructed on private, individual residential lots in the Township, as and when same is necessary.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, as follows:

1. The Township will maintain, repair and replace the structural components of drainage improvements constructed on private, individual residential lots in the Township, as and when same is necessary, including the general maintenance of same as required in the NJDEP Best Practices Manual (BMP), General Maintenance provisions for dry/detention and wet/retention basins attached hereto and made a part hereof as Exhibit A.
2. All owners of private, individual residential lots in the Township on which drainage improvements have been constructed remain responsible for the normal and routine maintenance of the yard and area on which drainage improvements are constructed, including regular mowing of any lawn area, removal of leaves and debris from the drainage area and maintenance of trees, shrubbery and landscaping on the private lot in the area of the drainage improvements, just as any private property owner is responsible

