

**Board of County Commissioners**  
**Leon County, Florida**

**Policy No. 98-30**

Title:	Stormwater Management Responsibility
Date Adopted:	October 13, 1998
Effective Date:	October 13, 1998
Reference:	Ch. 388, Florida Statutes
Policy Superseded:	Policy No. 93-37, "Stormwater Management Responsibility" adopted January 12, 1993

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It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-37, entitled "Stormwater Management Responsibility" adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

1. Leon County shall be responsible for diffuse surface flow only on property owned by the County and through the on-going enforcement of the Environmental Management Act as amended or as may be amended in the future. The reconciliation of any conflict that may arise between two or more property owners as a result of diffuse surface water flow generally is viewed by the courts as a civil matter. Leon County Government shall not expend public funds to physically construct or maintain improvements designed to relieve stormwater management problems created exclusively as a result of diffuse surface water flow, unless such improvements are located on county-owned property or are deemed by the Board as necessary, practical and in the public interest.
2. Leon County shall not be responsible for stormwater management facilities located on City, State, Federal, or privately owned property, rights-of-way or easements.
3. Those portions of the drainage system which do not offer legal public access or ownership cannot be included in maintenance or improvements projects or programs undertaken by the County, and the County shall not be directly responsible for such portions of the drainage system. However, whenever deemed practical or necessary by the Board, the County may seek to acquire ownership or rights of access within the drainage system for public maintenance or improvement purposes.

4. The County accepts responsibility for stormwater management facilities within platted and dedicated subdivisions, other easements or right-of-way owned by the County, and where the County has legal rights of ownership or access.
5. Nothing herein shall be construed to limit in any way the Mosquito Control Division of the Public Works Department from discharging its responsibilities pursuant to Chapter 388, Florida Statutes.