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## CH15 15 .22 - Responsibility

- A. Whenever sedimentation is caused by the stripping of vegetation, regardless of other development, it shall be the responsibility of the applicant, person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his expense as quickly as possible.
- B. Maintenance of all driveways, parking areas, drainage facilities and watercourses within any development area is the responsibility of the applicant owner or developer.
- C. It is the responsibility of the applicant and any person, corporation, or other entity doing any act on or across a communal stream, watercourse, or swale or upon the flood plain or right-of-way during the pendency of the activity and to return it to its original or equal condition after such activity is completed.
- D. No applicant, person, corporation, or other entity shall block, impede the flow of, alter, construct any structure, or deposit any material or thing, or commit any act which will affect normal or flood flow in any communal stream or watercourse without having obtained prior approval from the Town Engineer and the Development Coordinator or his designee or the Indiana Department of Natural Resources, Division of Water, whichever is applicable.
- E. Where a development area is traversed by a watercourse, the total development of the watercourse shall be considered. There shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse, and of such width as will be adequate to preserve natural drainage to the satisfaction of the Town Engineer and the Development Coordinator or his designee.
- F. Each applicant, person, corporation, or other entity which makes any surface changes shall be required to:
  - 1. Collect on-site surface run-off and dispose of it to the point of discharge into an adequate outlet approved by the Town Engineer and/or the Development Coordinator or his designee; and
  - 2. Provide and install at his expense, in accordance with the Town Engineer and/or the Development Coordinator or his designees requirements, all drainage and erosion control improvements (temporary and permanent) as approved on the Erosion Control Plan.
- G. It is the responsibility of the applicant or owner to keep all major streams, not under the jurisdiction of other official agencies, open and free flowing.
- H. The applicant or owner will assume the responsibility for maintaining an open and free flowing condition in all streams, watercourses and drainage systems, constructed or improved in accordance with town and

county design criteria, on or off his property, which are necessary for proper drainage