

*What other advice do you have?*

If you have a dispute with your neighbor about stormwater runoff onto your property, we recommend first meeting with them and try to work towards a mutually agreeable solution.

If you cannot come to an agreement and you believe the other resident's use of his/her property is unreasonable and causing stormwater to damage your property, you should consult with an attorney. In addition, you can always consult with your insurance agent regarding the benefits of flood insurance for your property.



Before purchasing a home, we always recommend making a site visit when it's raining to witness any runoff entering the property from off-site.

If you have complaints or concerns about sedimentation entering your property, contact the NCDEQ Fayetteville Regional Office at 910-433-3300.

If you see an issue or have a complaint about a stormwater issue within the Village's roadway or right-of-way, please contact our Public Services Department at 910-295-5021, or you can submit a Work Request through the MyVOP link on our website at [www.vopnc.org/myvop](http://www.vopnc.org/myvop).

If you have additional questions, please feel free to call our Public Services Department at 295-5021, or visit the stormwater link at [www.vopnc.org/stormwater](http://www.vopnc.org/stormwater).

## For More Information

Village of Pinehurst Municipal Code  
[www.vopnc.org/municipalcode](http://www.vopnc.org/municipalcode)

Pinehurst Development Ordinance  
[www.vopnc.org/pdo](http://www.vopnc.org/pdo)

North Carolina General Statutes  
[www.ncga.state.nc.us](http://www.ncga.state.nc.us)

NC Department of  
Environmental Quality  
<https://deq.nc.gov>  
910-433-3300

Village of Pinehurst Stormwater Info  
[www.vopnc.org/stormwater](http://www.vopnc.org/stormwater)

MY VOP  
[www.vopnc.org/myvop](http://www.vopnc.org/myvop)

Village of Pinehurst Engineering  
Standards and Specifications Manual  
[www.vopnc.org/engineering](http://www.vopnc.org/engineering)

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*If you still have questions after reading this brochure, feel free to contact the Public Services Department at 910-295-5021.*

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Village of Pinehurst Public Services  
700 McCaskill Road E.  
Pinehurst, NC 28374  
910-295-5021  
[www.vopnc.org](http://www.vopnc.org)



# STORMWATER IN THE VILLAGE OF PINEHURST





Do you have questions or concerns about stormwater in the Village of Pinehurst? You're not alone! We get asked about stormwater quite a bit, though many of the complaints we receive are outside of our authority because they involve private property rights. We've developed this pamphlet to answer some of the most Frequently Asked Questions and to offer advice on things you can do to help protect your property.

### ***What is stormwater?***

Simply put, stormwater is water that naturally accumulates as a result of rain or snow. Here in Pinehurst, much of our stormwater infiltrates into our sandy soils. What doesn't infiltrate typically "runs off" across land or other impervious surfaces like rooftops, streets, and parking lots, and eventually makes its way to the nearest creek, stream or lake. At times, heavy rain can result in localized flooding of streets, yards, or even basements and crawlspaces in lower lying areas.

### ***Who is responsible for stormwater management?***

Property owners are ultimately responsible for managing stormwater across their land, including residential lots. As a property owner, the Village is subject to the same rules and regulations as the private property owners, so we are responsible for managing stormwater only on public property.

### ***Who maintains the pipes and ditches?***

Pipes and ditches within public property, including the public right-of-way along Village-maintained streets (typically 50 or 60-foot wide) are the responsibility of the Village. Please report clogged pipes, boxes, and ditches that are on public property or the public right-of-way to our Public Services Department.

Note that driveway culverts are encroachments onto Village property and the property owner served by

the driveway is responsible for keeping the culvert clear of debris. Also, ditches and pipes on private property are the responsibility of the property owner unless the Village has accepted a stormwater utility easement on the property.

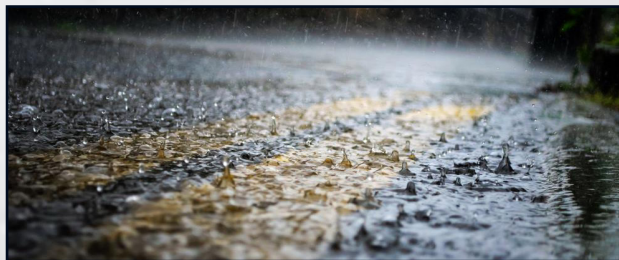


### ***What rules govern stormwater in North Carolina?***

In 1977, the North Carolina Supreme Court adopted the "Rule of Reasonable Use", which is based on the premise that water naturally flows downhill. This rule states that private landowners have a legal right to make reasonable use of his/her own land, and that the person on the lower estate must receive and pass water from the higher estate.

In other words, if someone constructs a house or other impervious surface on an adjacent, higher property, it could increase the amount of water that enters your property, and you are responsible to receive and pass the water to the next downstream property owner.

There are some exceptions to this rule, such as where a landowner's use is unreasonable and reckless. Any disputes between private landowners can be resolved in civil court actions between those parties.



### ***Can I block stormwater from entering my property?***

North Carolina General Statutes 77-13 and 77-14 prohibit the blockage of streams, drainage ways, and easements that move water from higher elevations to lower elevations. So while you may not like that additional water that comes onto your property, blocking it can render you guilty of a Class 2 Misdemeanor.

### ***What about muddy water exiting construction sites?***

As water flows downhill, it can wash dirt, rocks, and other sediment with it. North Carolina law requires developers to install and maintain sufficient erosion control devices to retain sediment within the boundary of a construction site. The North Carolina Department of Environmental Quality (NCDEQ) oversees the regulation of erosion and sediment in our State, and the NCDEQ Fayetteville Regional Office services our area.

### ***Can the Village require my neighbor to stop dumping stormwater onto my property?***

No, that is a private matter between property owners and may require resolution in civil court if not resolved amicably between the parties. The Village's current authority over and management of stormwater runoff is generally limited solely to the streets, easements, and right of ways that we own.

### ***What's the best way to convey stormwater across my property?***

This can be accomplished in a variety of ways (piping, grading, etc.) so long as no blockage, impediment, or obstruction occurs, and the stormwater is discharged at or near the low point of your property. We recommend consulting with a drainage contractor or an engineer if you need advice for how to address stormwater across your specific property.