DRAINAGE ACROSS LOT/PROPERTY LINE

As specified in Sec. 9l.0102 of the Los Angeles Municipal Code, the purpose of the Building Code is to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures erected or to be erected within the city, and by regulating certain grading operations within the city.

Division 70 of the Building Code (Article I, Chapter IX of the LAMC) does not provide any standards on dealing with cross-lot drainage. To ensure uniformity in the Department's interpretation and application of drainage regulations, the following guidelines are established. These are consistent with provisions in the State Code and decisions rendered in court cases involving cross-lot drainage.

The Building Code Sec. 7013.9 requires roof drainage from new construction and site drainage from graded pads to be conducted to the street or to an approved drainage device such as storm drain easement or natural watercourse.

The State Code allows the owner of an upper lot to discharge surface water from his/her land as the water naturally flows. However, he/she shall not interfere with surface water and cause it to be discharged onto neighboring lands in greater quantity, or in a different manner than would occur under natural conditions.

A change in drainage pattern on upper lots due to new construction, additions, or remodeling does not require a departmental administrative approval if the amount of water draining through adjacent lots after the completion of construction will not exceed that under natural conditions. In addition, the pattern of drainage across property lines shall remain unchanged. The use of dispersal walls to convert concentrated drainage, as a result of new construction or alteration, back to sheetflow under natural conditions requires a departmental administrative approval.

A drainage easement from adjoining property owners is required whenever drainage crossing lot line involves more water than or a different drainage pattern from that under natural conditions.

Whenever a project involves cross-lot drainage, a licensed survey map shall be provided to show the drainage pattern of the subject and relevant adjoining lots and the presence of any property line walls. The presence of any construction that blocks the natural drainage pattern shall be cause for non-issuance of building permits unless all drainage is designed to be diverted to the street.

Plans showing department approved cross-lot drainage shall be microfilmed. The owner of a lower lot shall not dam up drainage from the upper lot so that water which normally flows to the lower property under the natural drainage conditions is diverted onto other neighboring lots. In the event such drainage is blocked by lower lot owners, the upper property owner should notify the Department for enforcement.