



Henry County Stormwater Department
530 Hampton St.
McDonough GA. 30253
www.henrycountyga.gov

Dear Resident,

For many years, the Henry County Stormwater Department has, as a courtesy, assisted with the maintenance of privately owned detention ponds. While this support extended beyond what is legally required, it was done with the goal of promoting community-wide stormwater management.

However, after careful evaluation of departmental resources—including staffing, funding, and long-term operational capacity—the County has determined that it is no longer feasible to continue providing maintenance services for privately owned detention ponds. This decision aligns with the existing Henry County Stormwater Ordinance, which clearly states that the responsibility for maintenance of these ponds' rests with the property owner. Attached you will find the referenced ordinance.

We understand that this change may present challenges for some homeowners and property managers. The County has explored alternative approaches that could help support private owners while phasing out direct maintenance, but unfortunately, these options were not viable due to current resource limitations.

Moving forward, the Stormwater Department will fully adhere to the local ordinance, and no further maintenance will be performed by the County on private detention ponds. We remain committed to providing guidance and educational materials to help private owners understand and meet their responsibilities under the law.

We appreciate your understanding and cooperation as we implement this necessary change to apply our regulations consistently and equitably across Henry County. For questions, resources, or guidance please contact us at 770-288-RAIN (770-288-7246) or email us at stormwaterdepartment@henrycountyga.gov

Sincerely,

A handwritten signature in blue ink, appearing to read 'Josue De Jesus', written over a blue circular stamp.

Josue De Jesus
Director



Henry County Stormwater Management

530 Hampton Rd
McDonough, GA, 30253
770-288-7246

Re: Important Reminder on Stormwater Maintenance Responsibilities

Dear Homeowner,

The goal of Henry County Stormwater Management is to educate its residents about the importance of responsible stormwater management practices and to ensure compliance with county regulations. As part of this effort, we would like to provide clarification regarding the maintenance responsibilities for privately owned stormwater systems, such as detention and retention ponds.

According to the Henry County Code of Ordinances, the responsibility for the ongoing maintenance and proper functioning of stormwater detention and retention facilities rests with the property owner. This includes ensuring that the system is kept in good repair, free of debris, and functioning as originally designed to manage runoff and protect surrounding properties and natural resources. ULDC (Unified Land Development Code) – Appendix A, Chapter 8 – Infrastructure Improvements, Sec. 8.04.00 – Standards for Stormwater Management, Section 8.04.07. – D, 1 & 2 of the Code of Ordinances, the following states:

https://library.municode.com/ga/henry_county/codes/code_of_ordinances?nodeId=PTIIICOOR_APXAUNLADECO_CH8INIM_S8.04.00STSTMA

Owner's failure to maintain the stormwater management system. The terms of the inspection and maintenance agreement shall provide for what constitutes a failure to maintain a stormwater management system and the enforcement options available to the Henry County Stormwater Management Department. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then:

1. An owner's failure to maintain the stormwater management system so that it performs as it was originally designed shall constitute and be addressed as a violation of, or failure to comply with, owner's property maintenance obligations pursuant to section 3, article 1; and



2.To address such a failure to maintain the stormwater management system, the Henry County Stormwater Department shall have all the powers and remedies that are available to it for other violations of an owner's property maintenance obligations, including without limitation prosecution, penalties, abatement, and emergency measures.

Potential Penalties for Non-Compliance:

As further outlined in Chapter 12 – Administrative Procedures, Section 12.07.00 of the Unified Land Development Code, enforcement actions may include the issuance of a notice of violation, civil penalties, stop work orders, or the suspension or revocation of any permit or development approval. In certain cases, violations may result in legal action, and the party responsible may be held liable for all associated costs incurred by the County in correcting the violation, including administrative fees, court costs, and attorney's fees.

Henry County Stormwater will continue to pursue strategies and programs that encourage responsible private ownership while providing municipal support where appropriate. We appreciate your cooperation and commitment to sustainable stormwater management.

If you have any questions or need further clarification, please feel free to contact us at 770.288.7246.

Respectfully,

Josue O. De Jesus
Director of Stormwater Management
Henry County

Sec. 8.04.00. - Standards for stormwater management.

8.04.07. Ongoing inspection and maintenance of stormwater facilities and practices.

A.

Long-term maintenance inspection of stormwater facilities and practices. Stormwater management facilities and practices included in a stormwater management plan that are subject to an inspection and maintenance agreement must undergo ongoing inspections to document maintenance and repair needs and ensure compliance with the requirements of the agreement, the plan and this section.

A stormwater management facility or practice shall be inspected on a periodic basis by the responsible person in accordance with the approved inspection and maintenance agreement. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health, Henry County shall notify the person responsible for carrying out the maintenance plan by registered or certified mail to the person specified in the inspection and maintenance agreement. The notice shall specify the measures needed to comply with the agreement and the plan and shall specify the time within which such measures shall be completed. If the responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, Henry County may correct the violation as provided in subsection 8.04.07.D. hereof.

Inspection programs by Henry County may be established on any reasonable basis, including, but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in stormwater management facilities; and evaluating the condition of stormwater management facilities and practices.

B.

Right-of-entry for inspection. The terms of the inspection and maintenance agreement shall provide for Henry County staff to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this section is occurring or has occurred and to enter when necessary for abatement of a public nuisance or correction of a violation of this section.

C.

Records of maintenance activities. Parties responsible for the operation and maintenance of a stormwater management facility shall provide records of all maintenance and repairs to Henry County.

D.

Owner's failure to maintain the stormwater management system. The terms of the inspection and maintenance agreement shall provide for what constitutes a failure to maintain a stormwater management system and the enforcement options available to the Henry County Stormwater Management Department. **If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then:**

1. An owner's failure to maintain the stormwater management system so that it performs as it was originally designed shall constitute and be addressed as a violation of, or failure to comply with, owner's property maintenance obligations pursuant to section 3, article 1; and

2. To address such a failure to maintain the stormwater management system, the Henry County Stormwater Department shall have all the powers and remedies that are available to it for other violations of an owner's property maintenance obligations, including without limitation prosecution, penalties, abatement, and emergency measures.

([Ord. No. 23-06](#), § I, 6-6-23; [Ord. No. 23-10](#), § II, 11-28-23)



Henry County Stormwater Management

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McDonough, GA, 30253
770-288-7246

Detention Pond Maintenance Information

Purpose

To ensure long-term functionality of stormwater detention ponds, reduce flooding risks, protect water quality, and comply with Henry County Stormwater Management requirements.

Responsibilities

Per Henry County regulations, the **property owner** is responsible for:

- **Performing routine and annual maintenance** of the detention pond and related infrastructure.
- **Conducting and submitting annual inspections** to the Henry County Stormwater Management Department.
- **Providing access to county inspectors** through a non-exclusive perpetual easement.
- **Correcting deficiencies** identified during inspections or by the county.

Monthly Maintenance Tasks

Task	Description
Remove Trash & Debris	Clean out litter, branches, and yard waste from pond, inlets, and outlets.
Inspect for Erosion	Check slopes, banks, and channels for signs of erosion or soil displacement.
Vegetation Management	Mow grass (not shorter than 4–6 inches) and remove invasive species.
Check Inlet/Outlet Structures	Ensure they are free of obstructions and functioning as designed.

Quarterly Maintenance Tasks

Task	Description
Check for Sediment Buildup	Inspect forebay and pond bottom for sediment accumulation.
Inspect Embankments	Look for animal burrows, cracks, or seepage in the dam or berm areas.
Maintain Access Paths	Keep maintenance access points clear and drivable for inspections or repairs.



Annual Inspection (Required)

Task	Description
Structural Assessment	Inspect risers, pipes, and concrete structures for cracks or wear.
Full Vegetation Review	Ensure proper vegetative cover is maintained and invasive species removed.
Sediment Survey	Evaluate pond depth and sediment levels. Plan dredging if capacity reduced.
Documentation & Reporting	Submit inspection report to Henry County Stormwater Management.

Recommended Tools & Equipment Needed

- Trash grabbers or rakes
- Lawn mower or trimmer
- Shovels and erosion control materials
- Inspection checklist (county format or custom)
- Camera for documentation

Documentation

Keep records of:

- Dates and results of inspections
- Maintenance activities performed
- Repairs and contractor services
- Photos before/after major maintenance

Submit your annual inspection report to Henry County:
Contact the **Stormwater Management Department** at **770-288-7246** or visit henrycountyga.gov/stormwater for forms and guidance.

Optional Enhancements

Improvement	Benefit
Plant native vegetation	Enhances aesthetics and reduces erosion
Add sediment forebay	Captures debris before it enters the main pond
Install signage	Discourages dumping and raises public awareness