



CITY OF MIDDLETON

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Dear Middleton Resident:

The subdivision you live in has a storm water management system that includes swales located on the sides of the road. **Middleton city code requires occupants to maintain the swales adjacent to and in front of their property in compliance with Middleton Supplement to Idaho Standards for Public Works Construction.**

Swales are engineered to collect stormwater runoff from the streets, provide filtration and treatment, then hold the water until it dissipates by percolation into the soils.

Swales in subdivisions function as the primary component of the stormwater management system for the roads in the subdivision. The swales are in City of Middleton right-of-way and are owned by the City of Middleton or are in an easement belonging to the City and monitored according to the City's NPDES permit (National Pollutant Discharge Elimination System) issued by the Environmental Protection Agency.

Who is responsible for the swale?

During development of the subdivision the swales are tested and certified by the City Engineer to be functioning properly when the subdivision is approved and accepted by the city. Swales are tested and certified by the City Engineer to be functioning properly when the subdivision is approved for home construction by the city.

During home construction the contractor who holds the building permit is responsible to ensure swales are not damaged during construction. Swales are damaged when contractors drive through them to access the property, clean out concrete trucks, and intern pile construction materials or construction waste in them. Builders are required to re-certify the swale prior to the city issuing a certificate of occupancy.

Homeowners and HOA's like to control the appearance of the swale in front of their property including adding grass, irrigation and mowing etc. For this reason, homeowners assume the operation and maintenance of the swale area fronting their properties, provided the swales are appropriately maintained to continue their primary function of stormwater management.

Following are examples of correct landscaping for swales, some with a sand window and some without a sand window. If you cannot discern if a swale is supposed to have a sand window, please call the city to confirm the swale type.

Correct landscaping for swales with sand window



The sand window should be at least 12” wide, open and free of grass, weeds, trash and cobble. The homeowner should rake the sand window at least two (2) times per year to loosen the top sand layer, remove any collected debris and make sure the sand is in a condition to filter storm water. The grassed side-slopes are integral to the swale function and stormwater quality.

If sediment, trash or cobble collects in the sand window, it should be removed by the homeowner or occupant as soon as possible.

Correct Landscaping for swales without a sand window



Swales without a sand window should be fully grassed, either seeded or sodded. The swale should remain approximately one foot deep after landscaping and the grass should be healthy but not super saturated or overwatered. Overwatering will cause ponding and may lead to mosquito problems, odor and swale failure.

Swales that have been landscaped or modified other than as shown must be restored by the current property owner.

Prohibited landscaping materials or modifications in swales are shown below, violation is a nuisance and has a penalty.

- Filling swales with dirt. This eliminates the swale function entirely and can lead to ponding and property damage downstream and premature roadway failure.
- Cobble or landscape rock placed in the swale on sides or bottom. Sediment collects around the cobble and forms a barrier to infiltration causing swale failure.
- Trees, bushes, shrubs, flowers, plants etc.
- Landscape fabric

Occasionally homeowners want to add an additional driveway approach other than what was approved at time of building permit. The city has a design standard for an additional approach. Any proposed modification of a driveway approach must be requested by the homeowner and approved in writing by the City of Middleton. An approach permit may be requested any time – there is no fee.

Please contact city hall at 208-585-3133 with questions.