

## Chapter 515

### DRAINAGE REGULATIONS

**Section 515.010. Drainage Onto City Right-Of-Way or Public Property.** [Ord. No. 846 §1, 12-9-1993]

Any drainage directed off of any private property, including, but not limited to, storm drains or basement drains, shall be so directed into a properly designed waterway. Any such designed waterway shall not cause any drainage onto street surfaces or grades, side ditches, sidewalks or walkways and shall not cause any type of traffic hazard. This Chapter shall not be applied to natural riparian rights.

**Section 515.020. Installation of Drainage Structure.** [Ord. No. 846 §2, 12-9-1993]

Whenever any driveway or entrance walk is constructed in the City that extends into the street, alley, right-of-way or public property, drainage shall be provided by the installation of a suitable drainage structure as provided in this Section. The appropriate City Officer shall determine the size of opening required, which shall not at any location be less than an eight (8) inch inside diameter pipe or its equivalent. It shall be the responsibility of the owner and/or occupant of the affected property, or the person or entity seeking the permit, to construct and install the necessary structure which may be of any approved culvert material including, but not limited to, corrugated metal pipe, steel, cast iron or cement concrete pipe or a concrete box culvert.

**Section 515.025. Maintenance of Drainage Structures.** [Ord. No. 1116 §1, 5-8-2008]

- A. It shall be the responsibility of the owner and/or occupant of the affected property to maintain in good repair any driveway or entrance walk drainage structure allowed pursuant to Section 515.020. If the City determines that the tube is not in good repair, beyond repair, crushed or blocked such that it does not meet the minimum diameter requirements of Section 515.020 or is causing water overflow onto City or neighboring property (all such failure hereinafter collectively described as a failed drainage structure), the property owner shall replace or repair the drainage structure and shall furnish the tube and all materials necessary for installation. If, in the City's opinion, it is a simple installation, the City may install the tube and materials provided by the property owner; if not, the property owner desiring a drainage structure shall be responsible for the costs of proper construction.
- B. If, after determination that the existing tube is a failed drainage structure, any property owner fails to provide a replacement tube and all materials necessary for tube replacement, then the City may remove the failed drainage structure from the

City right-of-way so as to allow for proper drainage. The City may install a replacement tube and materials at such time as they are provided by the property owner.

**Section 515.030. Compaction of Material Covering Drainage Structure — Material Covering Drainage Structure Shall Be Consistent With Adjoining Surface.** [Ord. No. 846 §3, 12-9-1993]

The material covering a drainage structure shall be compacted as so directed by the appropriate City Officer. The surface material covering a drainage structure or portion thereof that is situated on a public right-of-way or public property shall be consistent with the surface material of the adjoining City street, alley, right-of-way or public property.

**Section 515.040. Application For Permit.** [Ord. No. 846 §4, 12-9-1993]

- A. No person or entity shall cause a drainage structure or a portion thereof that shall lie situated on a public right-of way or public property to be installed without first submitting a written application for a permit to the appropriate City Officer on a form to be provided by the City. Said application shall at a minimum state the approximate location of the proposed installation, the material of the drainage structure and the size of the structure and shall be accompanied by written illustrations, diagrams, specifications and/or descriptions setting forth in reasonable detail the proposed drainage structure to be installed. Said application shall be accompanied by payment of any fees required by the City.
- B. The appropriate City Officer shall have at least three (3) days after receipt of said application for installation of a drainage structure, exclusive of Saturday, Sunday and holidays, to approve or disapprove the proposed installation. If the application is approved, the same shall be so certified on the application form and the applicant may then receive the permit. If the application is not approved, the same shall be so certified on the application form and the applicant may then obtain a refund of any fees paid to the City Collector, or the applicant may appeal said decision to the Mayor and the Board of Aldermen by giving written notice of same to the City Clerk. Said notice of appeal must be made by the applicant within three (3) days after applicant's receipt of notice of disapproval. Upon the City's receipt of applicant's notice of appeal, a hearing for said purpose shall be held within thirty (30) days after receipt of such notice of appeal and after hearing the applicant's protest the Mayor and the Board of Aldermen shall issue a decision concerning same and their determination shall be binding.

**Section 515.050. Administrative Fees.** [Ord. No. 846 §5, 12-9-1993]

No person or entity shall submit application for the installation of a drainage structure without first paying to the City Collector for Mound City a five dollar (\$5.00) permit fee for each proposed drainage structure.

**Section 515.060. Inspection.** [Ord. No. 846 §6, 12-9-1993]

Upon the completion of the installation of a drainage structure or as soon thereafter as reasonably possible, each installation shall be inspected by the appropriate City Officer for compliance with the terms of this Chapter. In the event said installation fails to be approved, the person or entity making the installation shall be responsible for correcting same to comply with the terms of this Chapter and to receive final approval by the City.

**Section 515.070. Barricades, Lights and/or Smudge Pots Required.** [Ord. No. 846 §7, 12-9-1993]

A drainage structure installation under construction shall be barricaded and identified with lights and/or smudge pots as so required by the appropriate City Officer. The person or entity responsible for the installation of the drainage structure shall be responsible for providing the required barricades, lights and/or smudge pots and failure to provide same shall be a violation of this Chapter.

**Section 515.080. Deviations.** [Ord. No. 846 §8, 12-9-1993]

Under extenuating circumstances, such as unusual street width, conditions of subgrade, lay or contour of land, development of new materials or methods or other unforeseeable conditions, the Mayor may, on the recommendation of the appropriate City Officer, waive any restrictive construction requirements specified in this Chapter when such deviation would not be detrimental to the City.