

# 905.04 OBSTRUCTIONS.

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

905.04 OBSTRUCTIONS.

CHAPTER 905 Drainage

CHAPTER 905

Drainage

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CROSS REFERENCES

Injury by improper drainage - see Ohio R.C. 305.12

Notice to fill lots, remove noxious substances - see GEN. OFF. 521.05

Drainage of surface water into sanitary sewers - see S.U. & P.S. 931.14

#### 905.01 CONDUITS REQUIRED.

No road, driveway, walk, bridge or other construction shall be placed or maintained that extends over or across any gutter, ditch, sewer or other drain located upon any public thoroughfare, or way within the Municipality unless an adequate conduit to insure the free passage of drainage water in and along such gutter, ditch, sewer or other drain is placed and maintained at such grade as shall be set by the City and placed in or under such road, walk, bridge, driveway or other construction so as to insure as determined by the City the free and unobstructed passage of drainage water.

(Ord. 33-84. Passed 4-24-84.)

#### 905.011 RESPONSIBILITY FOR THE INSTALLATION OF, CLEANING OF, MAINTENANCE OF AND RELOCATION OF GUTTERS, DITCHES, SEWERS AND OTHER DRAINS.

(a) The initial installation of any gutter, ditch, sewer or other drain located upon any public thoroughfare or way within the City shall be the responsibility of the property owner of the property benefitted by and adjacent to such gutter, ditch, sewer or other drain subject to compliance with the instructions of, specifications set by, and grade set by the City.

(b) The cleaning of and/or removal of obstructions from any such gutter, ditch, sewer or other drain, once installed, shall be the responsibility of the property owner of the property benefitted by and adjacent to the gutter, ditch, sewer or other drain subject to compliance with the instructions of, specifications set by, and grade set by, the City. The maintenance, including the regrading, if necessary of any such gutter, ditch, sewer or other drain, once installed, shall be the responsibility of the City. The relocation of any such gutter, ditch, sewer or other drain, once installed, shall be the responsibility of the property owner of the property benefitted by and adjacent to the gutter, ditch, sewer or other drain subject to compliance with the instructions of, specifications set by and grade set by, the City unless such relocation is done at the request of the City, in which case the responsibility shall be that of the City. (Ord. 44-93. Passed 4-27-93.)

#### 905.02 MATERIALS; APPROVAL.

All conduit pipes placed in or under roadways, driveways, bridges or other constructions extending over or across any gutter, ditch, sewer or drain or along any public highway, or thoroughfare within the Municipality shall be subject to the approval of the Service Director or his representative. Such approval shall include all aspects relating to the type of conduit, and the installation of conduit, including but not limited to the material of which such conduit is constructed, the location of the conduit, the internal diameter of the conduit, and the length of the conduit.

(Ord. 56-94. Passed 6-14-94.)

#### 905.03 ABATEMENT OF NUISANCE.

No person owning or having charge of lands where, or adjacent to where, a violation of any of the provisions of this chapter is found to exist or who is responsible for the existence of such violation, shall fail or refuse, after thirty days' notice in person or by mail, to cease or correct such violation and abate the nuisance created thereby. However, the giving or failing to give such notice shall in no way limit the power of the designated authorities of the Municipality to abate, in the interests of public health and welfare, the nuisance created thereby.

(Ord. 32-58. Passed 4-8-58.)

#### 905.04 OBSTRUCTIONS.

No person shall obstruct or maintain an obstruction of any established ditch, gutter, sewer or other drain which is located on or upon any established public drainage within the Municipality.

(Ord. 32-58. Passed 4-8-58.)

#### 905.05 DUTY OF SUPERINTENDENT OF ROADS AND SANITATION.

The Superintendent of Roads and Sanitation is hereby authorized and directed to proceed by such means and in such manner as he considers best to summarily correct a violation of this chapter after giving due notice as provided herein.

(Ord. 32-58. Passed 4-8-58.)

#### 905.06 TILING, PIPING OR COVERING DITCHES.

(a) No ditch, culvert, or other waterway within the City shall be tiled, piped, or otherwise covered without the individual, corporation or other entity intending to tile, pipe or cover such ditch, culvert, or waterway first obtaining a permit from the City through its Service Director or the designee of the Service Director. The party requesting the permit shall pay a minimum fee of twenty-five dollars (\$25.00) and shall further pay any other cost incurred by the City in processing the request for permit.

(b) The party requesting the permit shall present, for consideration by the Service Director, detailed plans and specifications of the tiling, piping or covering they are requesting.

(c) The Service Director or the Service Director's designee shall utilize the services of the City Engineer, if the Service Director or the designee of the Service Director determines that said services are appropriate to be used for the best interests of the City in determining whether or not a permit should be granted for the tiling, piping or covering of any ditch, culvert or waterway within the City.

(d) The provisions of this section are in addition to and do not and are not intended to in any way repeal or modify any presently existing ordinances within the City.

(e) Any individual, corporation or other entity who violates any provision of this section shall be guilty of a misdemeanor of the first degree. Further, any violations of this section shall cause the violator to be required to remove the wrongfully installed tile, piping or other covering and to restore the ditch, culvert or other waterway to its condition immediately prior to the wrongful installation of tile, pipe or other covering. "Wrongful installing" as used in this section shall include but shall not be limited to installing without a properly issued permit. (Ord. 13-95. Passed 2-28-95.)

#### 905.07 USE OF METAL AND/OR METALLIC OR PARTIALLY METAL AND/OR PARTIALLY METALLIC PIPE AND/OR CONDUIT FOR STORM WATER DRAINAGE.

(a) No individual, corporation or entity shall use metal and/or metallic and/or partially metal and/or partially metallic pipe and/or conduit for storm water drainage within the City without the prior written approval of the Service Director and/or an Engineer retained by the City.

(b) Any individual, corporation or entity violating any provision of this section shall be guilty of a misdemeanor of the first degree.

(c) Each day's continued violation of any provision of this section shall constitute a separate offense and separate violation of the provisions of this section.

(Ord. 17-99. Passed 4-6-99.)

#### 905.08 YARD DRAINS/DRAINAGE.

(a) All new construction of residential dwellings within the City of Sheffield Lake shall include the installation of adequate yard storm drains which are appropriately connected to the City's storm drainage system. Prior to any new construction of a residential dwelling within the City, plans shall be submitted to the Building Department to be reviewed by the Building Inspector and/or City Engineer to ensure the installation of adequate yard storm drains.

(b) Any repair to existing front yard drainage pipe or new installation of new drainage pipe

within the City shall require a permit. The permit is to be obtained from the Service Director or his designee. The party requesting the permit shall pay a fee of twenty-five dollars (\$25.00) which may be waived by the Service Director if the City performs the installation of the pipe.

(c) The Service Director or his designee is hereby authorized to selectively schedule, based on the determined drainage needs of the City, the replacement of gravel driveway apron storm pipe which is damaged, deteriorated or irreversibly clogged provided that the pipe has not been damaged by a singular accident in which case the homeowner shall remain responsible for replacement of the pipe.

(d) The replacement cost for this pipe is nineteen dollars (\$19.00) per linear foot for twelve-inch double wall Hancor/Advanced Drainage System, Inc. (ADS) pipe or equivalent polyethylene pipe. Other matching pipe may be used with Service Director or his designee approval.

(e) If the existing driveway apron is constructed of any material other than gravel, the homeowner is responsible for the replacement of concrete or asphalt.

(Ord. 28-25. Passed 5-13-25.)

905.99 PENALTY.

Whoever violates any of the provisions of this chapter not otherwise provided shall be guilty of a minor misdemeanor. Each day's continued violation shall be deemed to be a separate offense.

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- ORDINANCES OF SHEFFIELD LAKE
- Ord. 33-84

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