

ORDINANCE NO. 3 , 1994

AN ORDINANCE REPEALING ORDINANCE NO. 5, 1974  
AND ESTABLISHING DRIVEWAY ENTRANCE, DRAINAGE  
DITCH, AND CULVERT STANDARDS WITHIN THE  
CITY OF WORTHINGTON, KENTUCKY

WHEREAS, the standards for the maintenance of driveway entrances, drainage ditches, and culverts have substantially changed since the enactment of Ordinance No. 5, 1974, and,

WHEREAS, Council is desirous of upgrading these standards based upon the change in circumstances since the enactment of Ordinance No. 5, 1974 as well as the present availability of superior materials,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Worthington, Kentucky, as follows:

SECTION ONE: Ditches established by either the natural flow of water or dug to control the flow of water from rain/runoff must be maintained by the property owner free of trash, leaves, brush, rubbish or other waste materials.

SECTION TWO: No drainage ditch or culvert in public right of way will be filled or tile (pipe) placed in culvert or ditch including driveway entrance without first obtaining approval from the City.

SECTION THREE: Driveway entrances will be constructed to prevent water run off from running onto the street pavement.

SECTION FOUR: Culvert pipe or tile buried in side drains parallel to streets shall be back filled so as not to permit run off over the drain onto the street pavement.

SECTION FIVE: With approval, all culvert pipe will be a minimum of 10" dia. with final decision on size dependent on the location and taking into consideration the volume of anticipated water flow. Final decision will lie with the City.

SECTION SIX: All drainage ditches filled in the manner prescribed will have an opening or catch basin to collect surface water and for cleanout purposes, with a catch basin or opening for each 50' or part thereof with a minimum of at least one catch basin or opening for each lot with filled ditches.

SECTION SEVEN: Any proposed filling of drainage ditch will first (before placing tile or pipe) be inspected by the City to determine proper size and location of pipe (tile) and catch basins, and inspected again before filling of ditch.

SECTION EIGHT: Any present filled drainage ditch or culvert that has been filled in a manner not conforming to above standards and causing damage to streets or public right of way will be corrected by adjoining property owner to above specifications.

SECTION NINE: After notification to owner by the City of the non-conforming situation, the owner will have 60 days to correct the situation according to above standards or the ditchline will be opened by the City and property owner may be billed for cost of work.

SECTION TEN: Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in a court of competent jurisdiction, shall be fined not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) for each violation committed, each day's continuance of a violation constituting a separate offense, or imprisoned for not more than thirty (30) days, or both so fined and imprisoned, within the discretion of the judge or jury. In addition to the foregoing, any property owner or any resident citizen aggrieved may proceed to the City of Worthington, Kentucky Board of Adjustment.

SECTION ELEVEN: All ordinances and parts of ordinances in conflict herewith to the extent of such conflict are hereby repealed and this ordinance shall be in full force and effect from and after its adoption and publication as provided by law.

SECTION TWELVE: Each section and each sentence of this ordinance is enacted separately and the invalidity or unconstitutionality of any one particular sentence and/or section shall not affect the validity and/or constitutionality of any other sentence and/or section.