

# City of Willoughby Hills

## ORDINANCE NO. 2010- 17

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**AN ORDINANCE AMENDING PART NINE – STREETS, UTILITIES AND PUBLIC SERVICES CODE, TITLE ONE – STREET AND SIDEWALK AREAS, CHAPTER 909 – DRIVEWAY CULVERTS AND DRAINAGE, SECTION 909.01 – CONSTRUCTION OF DRAINAGE FACILITY PIPE AND SECTION 909.02 – FEES FOR PIPE INSTALLATION AND MATERIALS OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS.**

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**WHEREAS**, the current Ordinance stipulates the City shall issue charges and install driveway culverts upon request of a property owner; and

**WHEREAS**, the City’s position is that driveway culverts are typically installed by a private property owner; and

**WHEREAS**, the City finds that providing such a service is not in the best interest of the public and therefore will discontinue the practice of levying charges and installing driveway culverts.

***NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:***

**SECTION 1.** Existing **Section 909.01 – Construction of Drainage Facility Pipe** of the Codified Ordinances of the City of Willoughby Hills be, and the same hereby is amended to read and provide in its entirety as follows:

**“909.01 CONSTRUCTION OF DRAINAGE FACILITY PIPE.**

From and after the effective date of this section, (Ordinance No. 1955-34), passed February 9, 1956) no person, firm, corporation or association of persons shall, within the City, construct any driveway, private road or other form of access to existing roads or streets within the City, except in compliance with the following regulations:

- (a) Whenever any such driveway, private road or other form of access shall be constructed to connect to any existing road or street within the City, there shall be provided as a part of such construction suitable drainage facilities by means of PVC ASTM D3034 SDR 35 pipe or equal to the satisfaction of the Director of Public Service of the City.
- (b) Such drainage pipe shall be of a minimum size of twelve inches in diameter, shall be installed in the existing road ditch at approximately the center line thereof, and along such center line under and across the entire width of such driveway, private road or other form of access, and shall extend a distance of at least two feet beyond each side of such access facility.
- (c) Flow line of such drainage facility shall correspond to the existing flow line of such ditch, and the grade thereof shall be such as is determined by the Engineer of the City or the Director of Public Service.
- (d) The Director of Public Service is further authorized to require the installation of any drainage facility pipe in any cases where, it is necessary in order to provide adequate and suitable drainage.”

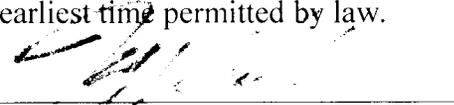
**SECTION 2. Section 909.02 – Fees for Pipe Installation and Materials** of the Codified Ordinances of the City of Willoughby Hills be and is hereby repealed in its entirety.

**SECTION 3.** All Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

**SECTION 4.** The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

**SECTION 5.** This Ordinance shall be in full force and effect at the earliest time permitted by law.

PASSED: April 22, 2010



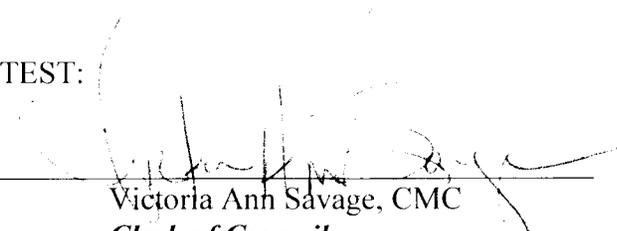
**Kevin D. Malecek**  
*President of Council*

Submitted to the Mayor for his approval on this 22nd day of April, 2010

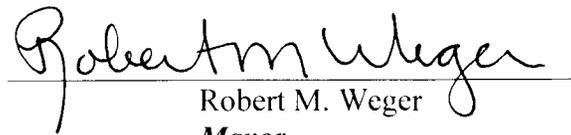
Approved by the Mayor

April 22, 2010

ATTEST:



**Victoria Ann Savage, CMC**  
*Clerk of Council*



**Robert M. Weger**  
*Mayor*

**ORDINANCE NO. 2010 – 17**

I, Victoria Ann Savage, Clerk of Council for the City of Willoughby Hills, Lake County, Ohio do hereby certify that the foregoing **Ordinance No. 2010 – 17** was duly and regularly passed by the Council of the City of Willoughby Hills, Lake County, Ohio at a meeting held on **April 22, 2010**.

That this legislation was posted according to law and duly advertised pursuant to Ordinance No.2003-19 in the **Lake County News-Herald** on **April 28, 2010**. Effective date of Legislation: **May 22, 2010**.

**Victoria Ann Savage, CMC**  
**Clerk of Council**