

CITY OF BEECHWOOD VILLAGE  
ORDINANCE #   1  , SERIES 2015  
AN ORDINANCE RELATING TO THE DISCHARGE OF WATER  
AND REQUIREMENT FOR TIE IN TO STORM SEWER

WHEREAS, the Council of the City of Beechwood Village is concerned about, road deterioration, poorly directed ground water, rutting of grass at the curbs, standing water, ice formations and a hindrance to walkers and cyclists in the City as well as the overall public health and safety of its citizens,

AND WHEREAS, the City is aware of that because of groundwater infiltration, many homes in the city discharge water via pumps, down spouts, temporary extension hoses, extensions of gravity directed water or groundwater onto city right of ways and or to adjacent private properties,

AND WHEREAS, the city desires to prohibit the discharge of such waters or surface waters onto private or city property and provide for residents a mechanism and relief for properly connecting and directing some of such discharges into Beechwood Village Header Pipe system for proper collection,

NOW THEREFORE, be it ordained by the City of Beechwood Village that:

**SECTION 1: Prohibitions**

- (1) There shall be no discharge of water from any residence, including, but not limited to sump water or pool over flow water, down spout water from roofs, onto any public right way, onto any adjacent private property owner or onto any driveway that drains to the street. All such discharges can be tied into the Beechwood Village Header Pipe system or connected underground to an MSD owned catch basin or other relief catch system. Exempt will be if the end of the sump pump piping discharges to the rear of the property at a point no closer than 10 feet from a paved surface and does not encroach onto an adjacent property. Exempt will also allow other areas for discharge as long as it remains on resident's private property without encroaching on a neighbor's property.

**SECTION 2: Requirements**

- (2) Any property owner with a functioning sump-pump, or other pumping lines or systems, must tie that discharge into the Beechwood Village Header Pipe system or connected underground to an MSD owned catch basin.
- (3) This must be a direct connection, including, but not limited to, piping the sump pump brought to a curb and gutter system and in the public right of way of the City.

**SECTION 3: Waiver:**

- (4) The City Council understands that due to site-specific conditions, imposition of these standards may be inappropriate, or work an undue hardship. Therefore, the City Council has agreed to mitigate and alleviate the costs of such connections if the sump pump or discharge line has been brought into the public right of way that is maintained by the City at the property owners expense. The Council and City of Beechwood Village understands many residents did not know, understand, or provide MSD with direction on how to discharge ground or excess water, nor the future impact of these waters on areas surrounding private property. Lines that discharge or carry water, must be in the right of way for the City to pay for the connection into Beechwood Village Header Pipe system or MSD catch basin.

(5) From the passage of this ordinance, all residents must comply and have remedied current situations 365 days from ordinance passage date.

**SECTION 4. Penalties:**

A. Criminal

1. Any person who shall violate any provision of this Ordinance shall be fined not less than \$50.00 nor more than \$100.00 per day from the date of notice of violation.

2. Where Kentucky Revised Statutes mandates a fine higher than that stipulated herein, the fine contained in Kentucky Revised Statutes shall apply.

3. Any continuing violation of this Ordinance shall be considered a separate and distinct offense for each day on which a violation occurs or continues, and a separate penalty may be imposed therefor.

B. Civil.

1. Any person who shall violate any provision of this Ordinance shall subject the offender to a civil penalty in an amount equal to two times the minimum fine prescribed in this ordinance, with a minimum civil penalty of \$50.00 for each violation; each day of violation shall be considered a separate offense.

2. The civil penalty provided herein may be recovered by the City in a civil action in the nature of a debt if the offender does not pay the penalty within twenty (20) days after the offender has been cited for the ordinance violation. As used herein "cited" shall mean notified of the violation and the penalty in writing by an elected or appointed official of the City or the official attorney for the City. The civil penalty may be used as an alternative to or in conjunction with the criminal penalties authorized herein.

This ordinance shall take effect immediately upon its adoption, passage and publication.

First Reading 4-14-2015

Second Reading 5-12-2015

Passed and approved this the 12<sup>th</sup> day of May, 2015

Brandon Jagers  
Mayor

ATTEST:  
Cherie Brewer  
Clerk

Those in Favor 4

Those Opposed 0

Absent 2