

VILLAGE OF YATES CITY

ORDINANCE NO. 2012- *649*

ORDINANCE OF THE VILLAGE OF YATES CITY, ILLINOIS,
CONCERNING DITCHES AND CULVERTS

ADOPTED BY THE PRESIDENT AND
BOARD OF TRUSTEES OF THE
VILLAGE OF YATES CITY, ILLINOIS

SEPTEMBER 12, 2012

Published in pamphlet form by authority of the President and Board of Trustees of
the Village of Yates City, Illinois, *SEPTEMBER*, 2012.

ORDINANCE NO. 2012- 699

ORDINANCE OF THE VILLAGE OF YATES CITY, ILLINOIS,
CONCERNING DITCHES AND CULVERTS

WHEREAS, the corporate authorities of the Village of Yates City have previously established a policy concerning maintenance and cleaning of ditches and culverts within the Village in order that adequate drainage can be maintained within the Village; and

WHEREAS, the corporate authorities of the Village have determined that the best interests of the Village and its residents will be served by certain amendments to said policy, and to set forth said policy in an ordinance of the Village;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Yates City as follows:

Section 1. All ditches shall be maintained to promote timely drainage of water from rains and melted snow. Priority of such maintenance shall be established by the need of runoff control.

Section 2. Cleaning and flushing of culverts shall be performed on an as-needed basis.

Section 3. Each residential property owner shall keep each ditch and each culvert which is on, or which serves, the owner's property free from obstructions to the controlled drainage.

Section 4. Any obstruction placed or caused to be placed in a ditch or culvert by an act or omission of an owner or other occupant of residential premises shall be corrected by such owner or other occupant at the request of the Village. Failure to act on the request of the Village within ten days of receipt of such request shall constitute a nuisance as provided by Ordinance No. 97-586 of the Village declaring and establishing penalties for nuisances, in Section 1, paragraph K thereof.

Section 5. The Village shall maintain ditches on or serving a residential property blocked by natural erosion.

Section 6. When total blockage of a culvert exists, the Village may require the property owner to clean or replace it. In such instance, the Village shall provide the labor to remove the old culvert and to place a new culvert and shall supply one load of gravel to hold the new tube in place. The property owner shall supply any additional topping material. The property owner shall pay the cost of the culvert and delivery.

Section 7. Each culvert shall be as follows:

(a) Whenever the need for drainage is under any sidewalk or other area where only pedestrian traffic is expected, a 6-inch polyvinylchloride pipe may be used.

(b) Whenever the need for drainage is under any driveway or other area where vehicular traffic is expected, the culvert shall be galvanized steel at least 10 inches in diameter, or otherwise as required by the specifications of the Village.

Section 8. The Village shall clean and maintain each ditch and culvert that serves a commercial property.

Section 9. Each ordinance or statement of policy concerning ditches and culverts which is in conflict with this ordinance is hereby repealed.

Section 10. Ordinance No. 2012-696, titled *Ordinance of the Village of Yates City, Illinois, Concerning Ditches and Culverts*, adopted June 13, 2012, is hereby repealed.

Section 11. This ordinance shall be in full force and effect on its passage, approval, and publication according to law.

Section 12. Publication of this ordinance shall be in pamphlet form, pursuant to Section 1-2-4 of the Illinois Municipal Code [65 ILCS 5/1-2-4].

Passed by the Village Board of Trustees of the Village of Yates City, Illinois, this 12th day of September, 2012, by a vote of 5 yes, 0 no, 0 abstain, and 1 absent.

Joy A. Maki
Village Clerk

Approved by me this 12th day of September, 2012.

Brian Mears
Village President

Attest: (SEAL)

Joy A. Maki
Village Clerk

(Continued)

Yes: Smith, Grubb, Kinzer, Gibson, Guger,

No: None.

Abstain: None.

Absent: Blodgett

STATE OF ILLINOIS)
)
COUNTY OF KNOX) SS
)
VILLAGE OF YATES CITY)

CERTIFICATE

I, Joy A. Mahr, certify that I am the duly appointed, qualified, and acting Village Clerk of the Village of Yates City, Knox County, Illinois.

I further certify that on September 13, 2012, the President and Board of Trustees of said municipality passed and approved Ordinance No. 2012-699, titled ORDINANCE OF THE VILLAGE OF YATES CITY, ILLINOIS, CONCERNING DITCHES AND CULVERTS, the original of which is now on file in my office.

I further certify that, as such Village Clerk, I am the keeper of the records of the proceedings of the corporate authorities of the Village of Yates City.

The pamphlet form of Ordinance No. 2012-699, including the Ordinance and a cover sheet thereof, was prepared on September 13, 2012, and copies made available for public inspection in the office of the Village Clerk.

Dated at Yates City, Illinois, this 13th day of September, 2012.

Joy A. Mahr
Village Clerk

(SEAL)