

SECOND AMENDED ORDINANCE NO. 51 - 12

By: Steve Keyes

An Ordinance establishing a new Bexley City Code Section, 1044.26 DISCHARGE OF ROOF WATER, and amending Bexley City Code Section 1490.08, MAINTENANCE OF ROOFS, GUTTERS, DOWNSPOUTS, AND CHIMNEYS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1.

That Section 1044.26 DISCHARGE OF ROOF WATER shall be created as follows:

SECTION 1044.26 DISCHARGE OF ROOF WATER

- I. The roof water from a residential, commercial or industrial building shall either:
 - (a) Discharged to the street or where available to the curb under drain. The drainage pipe shall be no smaller than three inches (3") in diameter thin-walled polyvinylchloride (PVC) or approved equivalent. All joints shall be connected by approved methods, or
 - (b) Discharged on the same site or lot as the building is located provided that:
 - (1) When downspouts, roof drains or their extensions are discharged into the ground or lot surface, the water shall be emptied onto a three-foot long splash block or such other device or material as may be approved by the Inspector.
 - (2) The lot is graded or sloped and the roof water is so discharged that the water does not flow onto adjacent lots or tracts of ground except in swales, storm sewers or ditches which drain the lot in accordance with an approved grading plan.
 - (3) The sump pump discharge is connected to the curb under drain or other approved storm drainage system.

- II. Green building standards also may be utilized to mitigate all or a portion of the site grading and drainage requirements as set forth in this chapter. A storm water management plan shall be developed and submitted to the Zoning Officer for review and approval prior to implementation. This storm water management plan shall be developed to minimize concentrated flows and to stimulate flows in natural hydrology by the use of dry wells, French drains, rain barrels, rain gardens, vegetated swales and similar feature. Once approved and implemented, the site grading and drainage shall not cause excessive erosion or water damage and shall not create a nuisance on public or private property. Additionally, the approved site grading and drainage shall not thereafter be changed by any owner, occupant or other person in control of the premises in such a way as to diminish or impede the runoff.

- III. Storm water management features shall not be located in the right-of-way unless the owner, occupant or other person in control of the premises fully complies with the requirements of Chapter 1044 regarding the use and occupation of rights-of-way.

IV. Dry wells, French drains, rain gardens and vegetated swales shall be located a minimum of ten feet from foundations and 15 feet from property line. All roof drain conductors leading to these alternative drainage methods shall be a minimum of four-inch three-walled polyvinylchloride (PVC) solid pipe and installed underneath the finished grade. Variance for setback requirements may be allowed subject to approval of the Zoning Officer.

V. Rain barrels shall not be located nearer to any street than the nearest wall of the building in question, or nearer to any side or rear property line than three feet, and should match the color of the adjacent structure. A complete rain barrel system shall consist of at least one holding tank with a maximum capacity of 100 gallons, a downspout connector/diverter, a sealed lid or mosquito screen, a hose bib and an overflow connected to a storm sewer or an approved location.

VI. Rain gardens shall be subject to the review and approval of the Zoning Officer.

- i. The Inspector shall issue no certificates of occupancy and compliance for any residential unit or industrial or commercial building until the Inspector has determined that roof water is adequately discharges directly or indirectly to the storm drainage system and in a manner which does not create a drainage issue for neighboring property.

VII. Notice of Violation. Whenever the City of Bexley finds that a person has violated a prohibition or failed to meet a requirement of this section, the City of Bexley may order compliance by written Notice of Violation and direct the responsible party to:

- i. Comply immediately;
- ii. Comply in accordance with a schedule set forth in the Notice; or
- iii. Take appropriate remedial or preventative action in the event of continuing or threatening violation.

Such notice may require without limitation:

- (1) The performance of monitoring, analyses, and reporting;
- (2) The elimination of illicit connections or discharges;
- (3) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; and
- (4) Payment of a fine to cover administrative and remediation costs; and
- (5) The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the Notice shall set forth a deadline within which such remediation of restoration actions must be completed. Said notice shall further advise that, should the violator fail to remediate or restore a contractor and 50% of the expenses thereof shall be charged to the violator. Whoever violates this section is guilty of a minor misdemeanor.

may be altered if, in the opinion of the Service Director, the drainage does not cause excessive erosion or water damage or does not create a nuisance on public or private property. Any pipe carrying storm water drainage to a sanitary sewer is prohibited.

Section 3.

That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed: 11/27, 2012



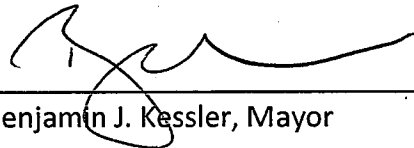
Rick Weber, President of Council

Attest:



Clerk of Council

Approved: 11/27, 2012



Benjamin J. Kessler, Mayor

First Reading - 10-9-12
Second Reading - 10-23-12
Third Reading - 11-13-12
TABLED 11-13-12