

**ORDINANCE # 6 2010-2011
CLAYTON, ILLINOIS**

**ORDINANCE AMENDING THE MUNICIPAL CODE OF THE VILLAGE
OF CLAYTON BY REGULATING CULVERTS WITHIN THE CORPORATE
LIMITS.**

Whereas, Section 11-20-10 of the Illinois Municipal Code, 65 ILCS 5/11-20-10, authorizes a municipality to regulate the construction, repair, and use of culverts;

Whereas, the Board of the Trustees of the Village of Clayton, believes it is in the best interest of the Village of Clayton that culverts within the corporate limits be regulated and maintained;

Now, Therefore, Be It Ordained, by the Board of Trustees of the Village of Clayton, Illinois, that Chapter 9 of the Municipal Code of the Village of Clayton, Streets and Sidewalks, be amended by including the following Article VII entitled Culverts.

ARTICLE VII – CULVERTS

Section 9.701 Obstruction of Drain or Storm Sewer:

It shall be unlawful to obstruct any drain or storm sewer, if any, in any public street or property.

Section 9.702 Culvert Policy:

Upon request of the owner of a residential or business lot, the village will purchase and install a driveway culvert for any culvert from 1 to 20 feet in length. The property owner shall pay the cost of the culvert including its installation for any culvert in excess of 20 feet. Any culvert 30 feet in length and over and every 30 feet thereafter requires a surface drain with removable grate equal to the culvert diameter or greater. A residential or business owner may only request one culvert regardless of the number of parcels that makeup the lot.

Section 9.703 Permit Required: Replacement Cost:

It shall be unlawful to install any culvert without first obtaining a permit from the Village Clerk. The expense of replacing any culvert shall be borne by the person making the application for the permit to install the culvert.

Section 9.704 Type of Culvert:

Culverts shall be installed where driveways or walkways cross open ditches. The material used for the construction of the culverts shall be reinforced concrete, corrugated

steel culvert pipe with a minimum wall thickness of 16-gauge, corrugated aluminum alloy culvert pipe with a minimum wall thickness of 16-gauge, asbestos cement storm drainpipe (Class IV), or of such other material as determined by the Village Board, depending on the existing conditions. As an alternative, the material used for the construction of culverts may be dual wall plastic tile approved by the Village Board. The culverts shall be of such size, installed at the grade, and constructed with couplings, as determined by the Village Board. The village shall install the culvert.

Section 9.705 Termination of Permit:

No person, firm, or corporation shall construct a culvert in the village without having obtained a permit from the Board of Trustees. The Village Clerk shall maintain the application for permits in the Village Office. All such permits shall terminate upon the expiration of one year following date of issuance.

Section 9.706 Type of Culvert:

Culverts shall be installed where driveways and walkways cross open ditches. The material used for the construction of the culverts shall be reinforced concrete, corrugated steel culvert pipe with a minimum wall thickness of 16-gauge, corrugated aluminum alloy culvert pipe with a minimum wall thickness of 16-gauge, asbestos cement storm drainpipe (Class IV), or of such other material as determined by the Village Board, depending on the conditions existing. As an alternative, the material used for the construction of culverts may be dual wall plastic tile approved by the Village Board. The culverts shall be of such size, installed at the grade, and constructed with couplings as determined by the Village Board. The person desiring the culvert shall purchase a culvert as provided therein and shall have it delivered on the site. The village shall install the culvert.

Section 9.707 Cost of Installation:

Any person installing or replacing a culvert shall, at his own expense, construct and install drainage inlet boxes in such form and manner as the Village Board determines necessary depending on the conditions existing.

Section 9.708 Backfill Cost:

Any person installing or replacing a culvert shall, at his own expense, provide and place such backfill material as the Village Board determines necessary to complete the project.

Section 9.709 Replacement Cost:

The expense of replacing any culvert shall be borne by the person making application for the permit to install the same.

Be It Further Ordained, by the Board of Trustees of the Village of Clayton, Illinois, that the Village Clerk publish this Ordinance as provided by law.

Adopted the 5th day of October 2010.

APPROVED

SAMUAL C. MILLER

President, Village of Clayton

ATTEST

LORETTA E. CARROLL

Village Clerk

VILLAGE OF CLAYTON CULVERT PERMIT

Date: _____

I am requesting that the Village Board of Clayton consider my petition for a culvert to be installed at the address listed below. I have read the Ordinance Regulating Culverts within the Village and I understand that upon approval of permit, I will be responsible for the cost of the culvert and the backfill.

Signature: _____

Address: _____

Any pertinent information you want the Board to consider when voting:

Presented at Board Meeting

Date: _____

Aye's _____

Nay's _____

Approves: _____

Rejected: _____