

ORDINANCE 2022- 02

**AN ORDINANCE DECLARING DISCHARGE OF DRAINAGE WATER INTO STREETS, SIDEWALKS, OR OTHER RIGHTS-OF-WAY UNLAWFUL AND DECLARING AN EMERGENCY**

BE IT ORDAINED by the Village of Vanlue, Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1. It shall be unlawful for the owner, occupant, or person having control or management of any real estate within the village to discharge into the street, sidewalks, or other public rights-of-way, water from downspouts, storm drainage pipes or systems, subsurface drains, or sump pump outlets.

SECTION 2: The practice of discharging water into public streets, sidewalks, or other rights-of-way, especially in cold weather, from downspouts, storm drainage pipes or systems, subsurface drains, or sump pump outlets, is detrimental and dangerous to the health, safety, and welfare of members of the public at large who use said streets and/or rights-of-way.

SECTION 3: The practice of discharging into streets, sidewalks, and on any other public rights-of-way water from downspouts, storm drainage pipes or systems, subsurface drains or sump pump outlets, is hereby declared a public nuisance, and it shall be unlawful for the owner, occupant, or person having control or management of any land within the town to discharge onto and/or into the streets, sidewalks, or other public rights-of-way water from downspouts, storm drainage pipes or systems, subsurface drains and/or sump pump outlets.

SECTION 4: Whoever violates any provision of this section shall be subject to a misdemeanor of the fourth degree with the provision that a separate violation of this section shall be deemed committed on each day that the public nuisance defined herein continues to exist. In addition to the penalties provided herein, the village is empowered to bring a civil action to enjoin any person from violating any division, provision, or condition of this section.

SECTION 5: Whenever adopted by the ordinance or in any other ordinance of the town, or in any rule, regulation, or order promulgated by any officer or agency of the village under authority duly vested in him or it, any act is prohibited or is made or declared to be unlawful or an offense or a punishable violation, or the doing of any act is required, or the failure to do any act is declared to be unlawful or an offense or a punishable violation, where no specific penalty is provided therefor, the violation of any such provision of the code, or any other ordinance of the village, or rule, regulation, or order shall be punished by a fine not exceeding \$250, a jail sentence not exceeding thirty (30) days, and such other penalty imposed by a court of competent jurisdiction may impose pursuant to the laws and statutes of the State of Ohio.

WHEREFORE, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

Passed 6-0

Attest Melinda Boye  
Fiscal Officer

Approved 2-28-2022

Amy Wiselley  
President of Council

[Signature]  
Mayor

CERTIFICATE

The undersigned, Fiscal Officer of the Village of Vanlue, Ohio, hereby certifies that on the 2<sup>nd</sup> day of March 2022, did post a copy of the foregoing Ordinance at the following designated places, and that the said copies did remain as posted for a period of fifteen days. 1. Vanlue Town Hall 2. Vanlue Marathon 3. U.S. Post Office 4. Wildcat Café 5. Hendricks Small Engines

Date 3-2-2022

Melinda Boye  
Fiscal Officer