

3 City of Conway

R1324

ORDINANCE NO. O-00-54

AN ORDINANCE MAKING IT ILLEGAL TO BLOCK NATURAL DRAINAGEWAYS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

Whereas, drainage problems are common in the City of Conway, and;

Whereas, it causes problems for the natural drainage from a piece of property to be blocked without providing an alternate method for draining the property;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

Section 1: Deviation of Water Flow - That no construction of buildings or other structures, placement of fill, erosion of materials or any other means of stopping, constricting or rerouting the natural flow of water to, through or from any parcel of property shall take place in the City of Conway without the approval by the City Engineer of an alternate drainage system and the construction of that drainage system.

Section 2: Approval of Drainage System - That approval of the alternate drainage system noted above shall be dependent upon the submission of adequate drawings to clearly explain the drainage system to the satisfaction of the City Engineer and shall be dependent upon the City Engineer's determination that the proposed drainage system is capable of handling the anticipated ten (10) year flow of water. For the purposes of this Ordinance, the ten (10) year flow of water is defined as that flow, due to rain, that would be expected to have a ten (10) percent chance of happening on the subject parcel in any given year.

Section 3: Enforcement - That the Code Enforcement Officer, the Chief Building Inspector and the City Engineer shall have the authority to enforce this Ordinance. That the Chief Building Inspector and his authorized representative(s) shall have the authority to refuse final inspection approval on any building on any parcel of land that is in violation of this Ordinance.

Section 4: Violation - That any violation of this Ordinance shall be deemed a misdemeanor and shall be punishable by fine. Any person, firm or corporation who violates or refuses to comply with any of the provisions of this Ordinance shall be fined not less than fifty dollars (\$50), nor more than two hundred dollars (\$200) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 5: Conflicting Ordinances - That all ordinances in conflict herewith are repealed to the extent of the conflict.

Section 6: Emergency Clause – That this ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 9th day of May, 2000.

APPROVED:

Tab Townsell
Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk Michael O. Garrett