

CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE NO. 2019-02

**AN ORDINANCE REGULATING THE PLACEMENT OR CONSTRUCTION
OF BUILDINGS OR STRUCTURES OVER
UTILITY MAINS AND STORMWATER DRAINS**

WHEREAS, the placement or construction of buildings and structures over utility mains and stormwater drains may affect the health and safety of city property owners; and

WHEREAS, utility service personnel and public works personnel need access for excavating and repairing utilities and stormwater systems.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL IN AND FOR THE CITY OF RUSSELLVILLE, KENTUCKY AS FOLLOWS:

1. After the enactment of this Ordinance no building or structure shall be placed or constructed over or within fifteen (15) feet of any water, sewer, wastewater, or natural gas main or piping that is not a component of the building or structure.
2. After the enactment of this Ordinance no building or structure shall be placed or constructed over or within fifteen (15) feet of any natural stormwater drainage structure, tile, culvert, box channel, catch basin, open channel or any other drainage structure or system unless such drainage structure is designed by a professional engineer licensed in the Commonwealth of Kentucky. Such design shall show the location of the building or structure in relation to the stormwater drainage system and shall allow fifteen (15) feet access for service.
3. All construction of utilities and stormwater systems shall be in compliance with the city's building codes and city and State Regulations. No building or structure may be

constructed or placed on property unless such location is first approved by the city building inspector.

4. It shall be the responsibility of the city building inspector to enforce the provisions of this Ordinance.
5. Violators of the provisions of this Ordinance shall be directed to remove such buildings or structures as directed by the city building inspector at the owner's cost.
6. If a violator fails to remove such buildings or structures as directed by the city building inspector within 20 days from receiving notice to remove, the city may issue a citation and impose penalties against the property owner for violation of this Ordinance. Any property owner in violation of this Ordinance after receiving notice to remove buildings or structures shall be subject to a civil fine of \$100 payable to the city for each day the violation continues.
- 6 . In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect any other provisions.
7. All portion of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict one.
8. This Ordinance shall become effective upon its passage and publication according to law.

FIRST READING conducted on the 7 day of May, 2019.

SECOND READING conducted and PASSAGE on the 21 day of MAY, 2019.

APPROVED BY:

Mark Stratton

Mark Stratton
Mayor

ATTEST:

Bob Riggs

Bob Riggs
City Clerk

At a meeting of the City Council of the City of Russellville, Kentucky, held on May 21, 2019, the foregoing ordinance was adopted, after full discussion, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

JIMMY DAVENPORT
SANDRA KINSON
DIANE WALKER
LARRY WILCUTT

PAT BELL
DARLENE GOUGH

LEGAL PUBLICATION OF ORDINANCE IN SUMMARY
CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE NO. 2019-002

**AN ORDINANCE REGULATING THE PLACEMENT OR
CONSTRUCTION OF BUILDINGS OR STRUCTURES OVER
UTILITY MAINS AND STORMWATER DRAINS**

In accordance with KRS 83A.060(9), the undersigned, a licensed, practicing attorney in the Commonwealth of Kentucky, summarizes this Ordinance as follows:

- 1) This Ordinance creates regulations on the placement or construction of buildings or structures over utility mains and stormwater drains. The Ordinance provides that: no building or structure shall be placed or constructed over or within fifteen (15) feet of any water, sewer, wastewater, or natural gas main or piping that is not a component of the building, or over or within fifteen (15) feet of a natural stormwater drainage structure, tile, culvert, box channel, catch basin, open channel or any other drainage structure or system unless designed by a licensed engineer. The Ordinance further mandates approval by the city building inspector prior to the construction or placement of a building or structure on property, and the city building inspector is charged by the ordinance with enforcing same, providing for citation procedures for violations and imposing a civil penalty of \$100 for each day a violation continues.
- 2) The full text of this Ordinance is available for copying and inspection at the office Bob Riggs, Russellville City Clerk, 168 South Main Street, Russellville, during normal business hours.
- 3) The City Council of Russellville, Kentucky enacted this Ordinance after a first reading conducted on May 7, 2019, and a second reading and passage on the 21st day of May, 2019.

CERTIFICATION OF COUNSEL: The undersigned attorney hereby certifies that the foregoing is an accurate summary of City of Russellville Ordinance No. 2019-02.

Elizabeth Teel, Esq.
Attorney for the City of Russellville
200 W. 4th Street
P. O. Box 905
Russellville, Kentucky 42276
Telephone: (270) 726-7800

briggs@russellvilleky.org

From: briggs@russellvilleky.org
Sent: Thursday, May 23, 2019 4:48 PM
To: 'Lola Nash'
Cc: 'briggs@russellvilleky.org'
Subject: PUBLICATION - CITY OF RUSSELLVILLE ORDINANCE 2019-02
Attachments: City RussellvilleOrdinance 2019-02 CONSTRUCTION OVER UTILITIES.pdf

Lola,

Please publish the attached ordinance 2019-02 one time.

The P.O. # is 17356.

Thank you,

Bob Riggs

270-726-5007

