

925.01 STORM SEWER MANAGEMENT.

(a) Purpose: The purpose of these regulations is to provide for the health, safety, and general welfare of the citizens of the Village of New Middletown through the regulation of modifications to the Village's municipal separate storm sewer system (MS4).

(b) Rules and Regulations: The Village Administrator, in consultation with the Village Engineer or an engineering firm hired to perform engineering services on an annual basis for the Village, shall establish uniform rules and regulations and a uniform permit process to address requests by property owners in the Village who request authority to install culverts and storm water lines in the roadside ditches along the Village right of way. All culverts, catch basins or storm water lines only shall be installed in accordance with the rules and regulations, and the specifications outlined therein, established in accordance with this section.

(c) Permit Required: No person, business, or organization shall install any culvert, catch basin or storm water pipe of any kind within any portion of the right of way of any street, in any portion of any ditch which is within the right of way of any street, or in any part of the Village's municipal separate storm sewer system (MS4), as defined in Section [923.03](#) of the Codified Ordinances, without first obtaining a permit from the Village Administrator. The application for a permit shall be on such forms as shall be prescribed by the Village Administrator and shall be accompanied by a fee of ten dollars (\$10.00).

(d) Penalty:

(1) Whoever violates any provision of this section or the rules and regulations established by the Village Administrator under the authority of this section, shall be guilty of a minor misdemeanor. Each day's violation shall constitute a separate offense.

(2) The Village also may seek any civil remedies including but not limited to injunctive relief, or may assess the costs incurred by the Village in enforcing this section or in removing any culverts, catch basins or storm water lines installed in violation of this section or in violation of the rules and regulations adopted hereunder against the person, business, or organization which violates any provision of this section, including the property owner. The Village shall give five days notice, by regular mail, to the property owner, at his or her last known address, to pay the cost incurred by the Village. Such notice shall be accompanied by a statement of the amount of cost incurred and, in the event the same is not paid within thirty days after the mailing of such notice, such amount shall be certified to the County Auditor for collection of the same as other taxes and assessments are collected.

(Ord. 2015-07. Passed 9-14-15.)