

ORDINANCE NO. 346

AN ORDINANCE AMENDING ORDINANCE NO. 201, STORMWATER RUNOFF
ORDINANCE, ADDING REQUIREMENTS FOR OWNERSHIP AND MAINTENANCE OF
STORMWATER DETENTION PONDS

WHEREAS, The City of Bethel Heights, Arkansas had previously established a Stormwater Runoff Ordinance wherein the Developer was required to maintain and warrant the drainage system unit structures and provide a bond for a period of one year after completion of the project.

WHEREAS, In order to assure that the Stormwater Runoff drainage system is maintained in proper operating condition there is a need that the system remains under the ownership and control of the developer or homeowners' association and the responsibility for maintenance likewise remain with the developer or homeowners' association.

NOW THEREFORE, be it ordained and enacted by the City Council of the City of Bethel Heights, Arkansas,

1. From and after the effective date of this Ordinance No. 346, Ordinance No. 201 is amended to delete the current language of subchapter G of Section 5.
2. From and after the effective date of this Ordinance No. 346, Ordinance No. 201 is amended to read as (added language in bold):

Section 5. Ownership and Maintenance of Stormwater Detention Ponds:

- 1. Ownership of stormwater detention ponds shall remain vested in the developer or homeowners' association. No alteration of the drainage system will be allowed without the approval of the City Engineer. The City will not process the Final Plat if all of the drainage features are not complete.**
- 2. Annual maintenance of the stormwater drainage system is the responsibility of the developer or homeowners' association throughout the construction of the system and the maintenance of the detention pond shall remain the responsibility of the developer or homeowners' association in perpetuity following acceptance of the final plat by the City.**

3. That the remainder of Ordinance No. 201 shall remain in full force and effect.

PASSED and APPROVED this 15 day of March, 2016.

APPROVED: Cynthia Black
Cynthia Black, Mayor

ATTEST: Janet Nelson
Janet Nelson, Recorder/Treasurer

