



Bill No. 4175

Ordinance No. \_\_\_\_\_

INTRODUCED BY

ALDERMEN UTT, FINLEY, STALLMANN, ROACH, FLEMING, WEAVER, SIEGEL, BULLINGTON

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AN ORDINANCE PROHIBITING DRAINAGE DEVICES OR PIPES THAT DAYLIGHT IN THE PUBLIC RIGHT-OF-WAY AND DECLARING THE SAME TO BE A NUISANCE.

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WHEREAS, the Board of Aldermen has determined that it is in the interest of public safety to prohibit drainage devices or pipes that daylight in the public right-of-way and to declare the same to be a nuisance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1: Section 24-3 of the Code of Ordinances of the City of Ballwin shall be amended by adding a new Subsection (c) thereto, as follows:

**Sec. 24-3. Obstructions in streets and street rights-of-way.**

(c) No person, firm or corporation shall install or maintain a drainage device or pipe that daylights in the public right-of-way.

Section 2: The first of paragraph of Sec. 29-1(a) shall be repealed and replaced with the following:

**Sec. 29-1. Weeds, drainage devices and debris to be removed.**

(a) Any parcel or contiguous parcels of land outside of an enclosed building, or areas visible within a carport, gazebo, porch or other structure (the interior of which is visible from the outside) shall be declared a public nuisance if it has the presence of, vegetation cuttings, dead vegetation, cut and/or fallen trees and shrubs, overgrown vegetation, invasive plants and noxious weeds which are six inches or more in height; refuse; lumber or other construction materials not piled or stacked 12 inches off the ground; broken concrete, rocks or bricks; metal; parts of vehicles or machinery; construction machinery or equipment; broken, non-useable or non-functional furniture, appliances and equipment; any flammable material which may endanger public safety, drainage devices or pipes that daylight in the public right-of-way (or within ten (10) feet thereof unless the discharge can safely be absorbed or directed away from sidewalks and public streets) or any other material which endangers public health and safety. The storage of such materials within a building such as a carport, gazebo, porch or other structure where the interior of which is visible from the outside, in a manner that such materials remain visible from surrounding properties and rights-of-way may be allowed if such materials are screened 100 percent from view from surrounding properties and rights-of-way. Such screening shall not include tarpaulins or similar temporary flexible coverings, shall be permanent in nature, structurally sound and erected in accordance with all regulations of the City of Ballwin.



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Section 3: This ordinance shall be in full force and effect from after the date of its passage and approval and shall remain in effect until amended or repealed by the Board of Aldermen.

**PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2023.

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***TIM POGUE, MAYOR***

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2023.

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***TIM POGUE, MAYOR***

**ATTEST:** \_\_\_\_\_  
***ERIC STERMAN, CITY ADMINISTRATOR***