

**CITY OF O’FALLON, ILLINOIS  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE RESCINDING  
ORDINANCE NO. 3154 AND  
AMENDING THE CODE OF  
ORDINANCES OF THE CITY  
OF O’FALLON, ILLINOIS,  
SECTION 94.01(S), OF CHAPTER  
94, NUISANCES**

**WHEREAS**, Chapter 94, Nuisances, presently prohibits certain actions and conduct determined to be nuisances; and

**WHEREAS**, pursuant to Ordinance No. 3154 and on the 3<sup>rd</sup> day of February, 2003, Section 94.01(S) of Chapter 94 of the Code of Ordinances was amended; and

**WHEREAS**, Ordinance No. 3154 does not completely and clearly address circumstances and situations whereby water from roof and subsurface drains drain onto adjoining premises or the sidewalks or streets of the City and into underground public storm sewers of the City; and

**WHEREAS**, it is in the interest of public health, safety and welfare that Ordinance No.3154 be rescinded in its entirety and replaced with the following.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND  
CITY COUNCIL OF THE CITY OF O’FALLON, ST. CLAIR COUNTY,  
ILLINOIS, AS FOLLOWS:**

Ordinance 3154 is rescinded in its entirety and replaced with the following;

Section 94.01(S) of Chapter 94 of the Code of Ordinance of the City of O’Fallon is hereby amended to read as follows:

(S)1. To obstruct any water course, ravine or gutter so as to cause water to stagnate therein, or to permit foul or stagnate water to stand upon any premises to the prejudice of others.

(S)2. To cause pipes conducting water from the roofs of a building to be so constructed as to discharge water from gutters, pipes, or other structures within ten feet of any public sidewalk, street or street curb or street gutter, causing runoff to be concentrated over and onto that public sidewalk, street, street curb or street gutter whereby the water will stagnate or freeze on the sidewalk, street or street curb or street gutter.

(S)3. To discharge any water or other fluids originating from sumps, sump pits, sump pumps or other pumps, or any reservoir serving as a water drain or receptacle for water, from pipes or other structures to an area within ten (10) feet of the property line or beyond or within ten (10) feet of any public sidewalk, street or street curb or street gutter, unless conveyed by a naturally occurring swale or a drainage swale approved by the City's Engineering Department or unless the method of drainage is otherwise approved by the City's Engineering Department, taking into considering the elevation, slope and topography of the premises and adjoining premises.

(S)4. To discharge any water or other fluids originated from sumps, sump pits, other pumps, or other mechanical means, any reservoir serving as a water drain or receptacle for water, from pipes or other structures, swimming pools or their drains or from roof gutter drains into or onto any adjoining property in such a manner as to create a nuisance as described below:

- a. Ponding or stagnating of water
- b. Causing soil erosion
- c. Creating conditions that would deny adjoining property owners reasonable use of their property.

**Deleted:** causing runoff to be concentrated over and onto that public sidewalk, street, street curb or street gutter whereby the water will stagnate or freeze on the sidewalk, street or street curb or street gutter.

