

**CITY OF VERGAS  
COUNTY OF OTTER TAIL  
STATE OF MINNESOTA  
ORDINANCE NO. 2023-006**

**AN ORDINANCE OF THE CITY OF VERGAS, MINNESOTA, AMENDING  
CHAPTER 151.32, ORDINANCE 79 AND 85 OF THE VERGAS CITY CODE  
CONSTRUCTION OF CULVERTS.**

**§ 151.32 CONSTRUCTION AND USE OF CULVERTS**

(A) *Construction Standards.* Any person wishing to construct a driveway over an existing ditch or replace an existing culvert must apply for a driveway permit. The any driveway culvert shall have a minimum circumference of 15 inches and the length of the culvert will be determined by the **City Council** (City engineer? City Clerk//Street Employees) based upon the requirements relating to the type of ingress and egress needed, the frequency and type of traffic anticipated to be traveling over and across the culvert, and the structural integrity of the proposed culvert and driveway. All culverts must be installed at such an angle, depth, and location as to facilitate the free flow of water through the culvert.

(B) *Permit Required.* Before installing a new culvert or replacing an existing culvert, the property owner must obtain a building and/or driveway permit from the City Clerk or other person appointed by the City Council to administer this chapter. The application shall contain a plan showing the location of the culvert, ditch, and driveway in relation to any other structures, boundary lines, and rights-of-way. The application shall contain a plan for the culvert that demonstrates the culvert will meet all of the construction standards of this section. A permit will not be granted unless the application meets all requirements set by the City which include installation by a licensed contractor.

(C) *Exception from Construction Permit Requirements.* A separate construction and/or driveway permit for the installation or replacement of a culvert is not necessary if a current building permit has been issued for another construction project for the same property, the plans for which include detailed plans satisfying the requirements of §151.32(B) for the installation or replacement of the culvert.

(D) *Setback Requirements.* The setback requirements provided in §§ 151.20 to 151.26 shall not apply to culverts. Culverts may be installed anywhere within the boundary lines of the property, provided the culvert does not impede traffic or pose a safety risk along adjacent rights-of-way and otherwise satisfies the construction standards of this section.

(E) *Maintenance and Repair.* The property owner shall be solely responsible for

maintaining the culvert, repairing the culvert, and ensuring the culvert is free from debris, rocks, garbage, or other materials that impede the drainage of water through the culvert.

(F) *Nuisance*. Failure to maintain a culvert in a condition that allows for the free flow of water through the culvert shall be a public nuisance under Chapter 92. The nuisance may be abated following the procedures provided in §§ 92.93 and 92.94.

(§ 151.32 added by Ordinance 85)

Passed by the City Council of Vergas, Otter Tail County, Minnesota  
this \_\_, day of \_\_, 2023.

Julie Bruhn, Mayor

Attest:

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Julie Lammers, City Clerk-Treasurer