

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

**AN ORDINANCE OF THE CITY OF VERGAS, MINNESOTA, ADDING 93.371 AND
AMENDING CHAPTER 151.32, ORDINANCE 79 AND 85 OF THE VERGAS CITY
CODE CONSTRUCTION OF CULVERTS.**

§ 93.371 CONSTRUCTION AND USE OF CULVERTS

(A) *Construction Standards.* Any person wishing to construct a culvert must apply for a building and/or driveway permit. All culverts shall have a minimum of 12 inches of cover, excluding aggregate base and surfacing materials, and must be installed at such an angle and location as to facilitate the free flow of water through the culvert. The length of the culvert shall have adequate length to achieve 1:4 (vertical : horizontal) side slopes or flatter. Each culvert installed shall be made of only one type and design of material. All culvert sizes shall be approved by the City engineer prior to installation.

1. Driveway Culverts: All driveway culverts shall have a minimum circumference of 15 inches.
2. Centerline Culverts: All culverts constructed under a street or alley shall have aprons and a minimum diameter of 18 inches and shall be reinforced concrete. The joints of all concrete pipes and aprons shall be tied and wrapped. All concrete culverts shall meet the requirements of the MnDOT Standard Specifications for Construction.

(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. 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) *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.

(D) *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.

(E) *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.

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

Julie Bruhn, Mayor

Attest:

Julie Lammers, City Clerk-Treasurer