

Model Ordinances for Downspout Disconnection

PLEASE NOTE

- The following downspout disconnection ordinances are recommended as part of a community's efforts for flood control, erosion control, and water quality protection.
- Downspout disconnection language is typically included within the residential code of the building code, rather than as a standalone chapter.
- VERSION 1 (preferred) is recommended for communities in relatively low-density (larger lot size) communities. VERSION 2 is recommended for high-density, urban communities where downspout disconnection may not always be feasible due to lot size, structural constraints and lack of vegetated areas.
- This model ordinance **MUST BE TAILORED TO THE SPECIFIC NEEDS OF EACH COMMUNITY**. Please contact CRWP for assistance in tailoring this model to your community's needs.
- Throughout this model duties are assigned to the "Community." These should be assigned to specific staff and departments.

XXXX.01 PURPOSE AND SCOPE

- A. The purpose of this regulation is to require downspout disconnection as a stormwater management best practice to achieve a level of stormwater quality and quantity control that will minimize damage to property and degradation of water resources, and will promote and maintain the health, safety, and welfare of the citizens of the *[community]*.
- B. This regulation provides the following benefits to the *[community]*:
 - 1. Reduces stress on storm sewer systems and waterbodies by reducing volumes and pollutant loadings of stormwater runoff through infiltration and evapotranspiration.
 - 2. Helps control the volume, rate, and quality of stormwater runoff so that surface water and groundwater are protected, and flooding and erosion potential are eased.

XXXX.02 DEFINITIONS

For the purpose of this regulation, the following terms shall have the meaning herein indicated:

- a) **DOWNSPOUT**: a pipe, usually of metal or plastic, for conveying rainwater from roof gutters and discharging it at ground level.
- b) **GUTTER**: a metal or plastic trough at the eaves of a roof to convey rainwater from the roof to the downspout.
- c) **HUB**: The enlarged end of a pipe which is made to provide a connection into which the end of the joining pipe will fit.
- d) **SPLASH BLOCK**: a small masonry, rubber, or durable plastic block laid with the top close to the ground surface to receive roof drainage from downspouts and to carry it away from the building.

This model code was developed by Chagrin River Watershed Partners through the Central Lake Erie Basin Collaborative and funded by the Northeast Ohio Regional Sewer District. The Collaborative is a network of watershed organizations that work cooperatively to preserve and restore Lake Erie's watersheds in Northeast Ohio.

XXXX.03 APPLICABILITY, COMPLIANCE & VIOLATIONS

- A. This regulation shall apply to all zoning districts.
- B. Where this regulation is in conflict with other provisions of law or ordinance, the most restrictive provisions, as determined by the *[community engineer]*, shall prevail.
- C. This regulation shall not be construed as authorizing any person to maintain a nuisance on their property, and compliance with the provisions of this regulation shall not be a defense in any action to abate such a nuisance.

XXXX.04 ROOF AND YARD DRAINAGE**VERSION 1:**

Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Unless otherwise specifically approved in writing by the *[community engineer]*, roof drainage shall be handled by suitable collectors and downspouts which shall discharge onto splash blocks or into other devices and be directed to vegetated areas draining away from the building. No stormwater shall flow onto adjoining property or onto impervious surfaces including sidewalks, walkways, patios and driveways. Rainwater from downspouts shall be drained so as not to cause flooding of or dampness in walls, ceilings or floors in any portion of the building or in any adjacent building, structure or property.

VERSION 2:

Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Disconnection of downspouts shall be permitted if the disconnection of a previously connected system meets all of the following provisions:

- a) The point of discharge must be a minimum of three (3') feet from a basement or a foundation wall or alley property line and five (5') feet from all other property lines.
- b) Splash blocks or other erosion control measures must be implemented to ensure discharge is distributed as sheet flow away from the building/s.
- c) No stormwater shall be directed onto adjoining property.
- d) The discharge water shall not discharge to a street, roadside ditch, alley or other public way, or water bodies.
- e) The discharge water shall not create icy conditions on pedestrian walkways within or adjacent to the subject premises lot lines.
- f) The downspout hub shall be sealed with a one (1") inch concrete cap or in a manner approved by the *[Community]* Engineer.
- g) Downspouts shall not be disconnected on slopes with a grade of more than ten (10%) percent.
- h) The discharge water shall be directed to a fully vegetated area with strips of dense turf, grasses, trees, or other vegetation.

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