

## POLICY REGARDING VILLAGE DITCHES

WHEREAS, all ditches that border streets in the Village of Nunda are within the easement area of the bordering street, and

WHEREAS, the use of said ditches cannot interfere with the use of the Village of Nunda street, and

WHEREAS, the Village of Nunda desires to formulate a policy for the filling on said ditches.

IT IS HEREBY RESOLVED AS FOLLOWS:

1. No ditch bordering a street in the Village of Nunda shall be filled, diverted or modified without the written consent of the Superintendent of Streets for the Village of Nunda.
2. Any ditch that is deemed to pose a safety hazard by the Superintendent of Streets for the Village of Nunda shall be filled, diverted or modified by the Village of Nunda at the sole expense of the Village of Nunda, and in a manner deemed to be necessary by the Superintendent of Streets of the Village of Nunda.
3. If a homeowner whose property adjoins a street in the Village of Nunda wishes to fill, divert or modify a ditch within the street easement in front of their home, the homeowner shall file a written request with the Village Clerk of the Village of Nunda.
4. Said written request shall be forwarded to the Superintendent of Streets for the Village of Nunda.
5. If the Superintendent of Streets of the Village of Nunda determines that filling, diversion or modification of the ditch will not interfere with the use of the village street, then the Superintendent of Streets shall determine what filling, diversion or modification of the ditch may be made.
6. The Superintendent of Streets of the Village of Nunda shall then make an estimate of the cost of materials necessary for said filling, diversion or modification of the ditch in question.
7. The estimate of cost of materials to be paid at the homeowner's expense shall then be submitted to the homeowner making the request.
8. If the homeowner desires to proceed with the filling, diversion or modification, the homeowner shall notify the Superintendent of Streets of the Village of Nunda in writing.

9. After receiving payment for the cost of materials from the homeowner, the Village of Nunda shall then fill, divert or modify the ditch in the manner it deems appropriate by the Superintendent of Streets for the Village of Nunda, using its personnel at no further cost to the homeowner.

Adopted by resolution at a regularly-scheduled Board Meeting on October 13, 2008.

Merilee G. Walker  
Clerk-Treasurer