

ORDINANCE NO. 2020-1000

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF BENTONVILLE, ARKANSAS, PROVIDING FOR DETENTION POND OWNERSHIP AND MAINTENANCE.

WHEREAS, Ordinance No. 2005-101 established regulations of ownership of detention and retention ponds, and,

WHEREAS, the city wishes to allow detention and retention pond owners to be able to deed said property to the city in order for the city to assume maintenance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BENTONVILLE, ARKANSAS:

Section 1: That Article 300.02(e) *Detention and Retention Ponds – ownership and maintenance* shall be and is hereby amended with the following change, strikethrough to be removed, underlined to be added:

- (1) *Residential subdivisions.* Stormwater detention and retention ponds deeded to the city by ~~September 10, 2005~~ November 30, 2020 shall be owned and maintained by the City. After ~~September 10, 2005~~ November 30, 2020, stormwater detention and retention ponds in new residential subdivisions shall remain under the ownership and maintenance of the property owner during development. Stormwater detention and retention ponds shall be deeded to the property owner’s association upon filing of the final plat. Maintenance of the facilities shall be the responsibility of the property owner’s association.

Section 2: That all ordinances or parts of ordinances in conflict herewith should be and the same are hereby repealed.

Section 3. This Ordinance shall be in full force and effect 30 days from the date of its passage and approval.

PASSED and APPROVED this 25 day of AUGUST, 2020.

Approved:

Stephanie Orman

Stephanie Orman, Mayor

ATTEST:

Kiley Romines
City Clerk

