

Proposed changes for discussion

- **Sec. 7-3. - Adjacent lot runoff protection.**

(a)

It shall be unlawful for any landowner to cause or allow fill material to be placed upon any lot in a manner which would cause increased runoff of rainwater to any adjacent lot. Drainage must always be designed and built to direct runoff to a legal drainage conveyance. The Department of Planning and Zoning has the authority to enforce compliance of this Section. Failure to maintain drainage per the approved plan as set forth in this Section is subject to inspection and shall be considered a violation of the building permit as issued and may be subject to enforcement actions.

Legal Drainage Conveyance is defined as (1) an existing or planned ditch, swale, open channel or canal; or (2) a street curb leading to a storm drain which enters a subsurface culvert conveyance system or ditch or canal.¹

(b)

Fill restrictions that are already more restrictive than this Section, such as major subdivision development and commercial construction, shall continue to be regulated by the existing approval procedures specific to those applications.

(c)

For all residential construction or elevation of primary structures adjacent to properties containing principal buildings, fill may only be added in one of five (5) manners subject to review and approval from the Directordepartment of public works:

(1)

All fill in excess of the adjacent property's existing grade shall be completely contained within a solid masonry structure and none of that structure shall be located within three (3) feet of any property line and the remaining area shall be graded and maintained to drain runoff to a legal drainage conveyance.

(2)

For lots less than one (1) acre in size, fill in excess of the adjacent property's existing grade shall not be placed within ten (10) feet of any property line and a swale of no less than five (5) feet wide and a minimum of eight (8) inches deep shall be installed and maintained to drain rainwater runoff to a legal drainage conveyance. This option is only available if the

¹ The Department of Public Works shall confirm the nearest legal drainage conveyance.

grading for drainage can be accomplished without adding fill within ten-foot of the property line.

a.

For lots in excess of one (1) acre, fill in excess of the adjacent property's existing grade shall not be placed within fifteen (15) feet of the property line. The fifteen-foot area shall be graded to direct water away from all sides not adjacent to a legal drainage conveyance.

(3)

A masonry perimeter chainwall² of sufficient height to prevent overtopping, but not less than six (6) inches above the perimeter fill level shall be installed and maintained on all property lines not adjacent to a legal drainage conveyance.

(4)

A minimum of three (3) drainage inlets shall be installed into the rear and side yards as is appropriate to the lot configuration. All added fill shall direct runoff to these inlets. These inlets shall direct runoff to a legal drainage conveyance (swale, street, etc.) through PVC piping with a minimum diameter of four (4) inches. Drainage inlets shall be maintained and kept free of obstructions.

(5)

AnyA drainage solution submitted with the stamp of a civil engineer licensed to work in the State of Louisiana and approved by the director of the department of public works, or their designee.

(d)

A topographic survey demonstrating the pattern of drainage conveyance is required prior to final occupancy. Prior to placement of fill, the property owner is responsible for providing the Department of Planning and Zoning a proposed drainage plan in accordance with (c) above. After a technical review by the Department of Public Works, Department of Planning and Zoning, shall notify the property owner of approval or list the deficiencies/modifications required, if any. Final approval of the drainage plan shall be required prior to issuance of a building permit by the Department of Planning and Zoning.

(e)

² Chain wall curbing may be incorporated into the slab for a driveway or path for the property interior.

The Department of Planning and Zoning shall ensure compliance with the drainage plan through the following:

(1) Set up procedures for inspections to ensure ongoing construction complies with the approved drainage run off plans. Any deficiencies shall be addressed in writing and provided to the permit holder. Technical guidance, if necessary, will be provided by the Public Works Department.

(2) Request field inspections by the Public Works Department during construction to confirm conformity with the drainage plan by taking as-built measurements and preparing an ongoing progress report ~~fo~~-of approval or list of corrective actions needed to cure deficiencies. The field inspection shall address heights of forms prior to pouring concrete.

(3) Coordinate a final inspection by Public Works Department, including the requirement of a review of ~~athe~~ topographic survey³ demonstrating the pattern of drainage conveyance as shown in the approved drainage plan. Public Works shall provide correspondence to Planning and Zoning noting conformity to the drainage plan and approval of the run off protection prior to the issuance of a Certificate of Occupancy.

(4) Set up any additional internal policies or procedures necessary to facilitate the implementation of this Section.

(Ord. No. 21-8-17, § I, 8-23-21)

³ Survey performed by a Professional Land Surveyor or other recognized technical person considered competent to verify and map surface elevations

2019-0061

INTRODUCED BY: NICKY DUFRENE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. 21-8-17

An ordinance to amend Chapter 7, Article 1 of the St. Charles Parish Code of Ordinances to add regulations to protect adjacent properties from increased runoff when fill is added to any lot of ground, by adding 7-3 "Adjacent Lot Runoff Protection."

WHEREAS, the placement of fill is a normal occurrence for most development; and,
WHEREAS, some residents of St. Charles Parish have experience issues with adjacent lots being filled for development, causing increased runoff to their properties; and,
WHEREAS, the current St. Charles Parish Code of Ordinance does not address the issue; and,
WHEREAS, the St. Charles Parish Council wishes to address the issue in a clear and concise set of regulations that address new fill.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code, Chapter 7 Article 1, is modified to add the following with new text in underline and deleted text in ~~strikethrough~~:

Section 7-3 Adjacent Lot Runoff Protection

- (a) It shall be unlawful for any landowner to cause or allow fill material to be placed upon any lot in a manner which would cause increased runoff of rainwater to any adjacent lot. Drainage must always be designed and built to direct runoff to a legal drainage conveyance.
- (b) Fill restrictions that are already more restrictive, such as major subdivision development and commercial construction, shall continue to be regulated by the existing approval procedures specific to those applications.
- (c) For all residential construction or elevation of primary structures adjacent to properties containing principal buildings, fill may only be added in one of five (5) manners subject to review and approval from the Department of Public Works:
 - 1. All fill in excess of the adjacent property's existing grade shall be completely contained within a solid masonry structure and none of that structure shall be located within 3 feet of any property line and the remaining area shall be graded and maintained to drain runoff to a legal drainage conveyance.
 - 2. For lots less than one (1) acre in size, fill in excess of the adjacent property's existing grade shall not be placed within 10 feet of any property line and a swale of no less than 5 feet wide shall be installed and maintained to drain rainwater runoff to a legal drainage conveyance. This option is only available if the grading for drainage can be accomplished without adding fill within 10-foot of the property line.
 - a. For lots in excess of one (1) acre, fill in excess of the adjacent property's existing grade shall not be placed within 15 feet of the property line. The 15-foot area shall be graded to direct water away from all sides not adjacent to a legal drainage conveyance.
 - 3. A masonry perimeter chainwall of not less than 6 inches above the perimeter fill level shall be installed and maintained on all property lines not adjacent to a legal drainage conveyance.
 - 4. A minimum of three (3) drainage inlets shall be installed into the rear and side yards as is appropriate to the lot configuration. All added fill shall direct runoff to these inlets. These inlets shall direct runoff to a legal drainage conveyance (swale, street, etc.) through pvc piping with a minimum diameter of four (4) inches. Drainage inlets shall be maintained and kept free of obstructions.
 - 5. Any drainage solution submitted with the stamp of a Civil Engineer licensed to work in the State of Louisiana and approved by the Director of the Department of Public Works, or their designee.
- (d) A topographic survey demonstrating the pattern of drainage conveyance is required prior to final occupancy.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: BILLINGS, FONSECA, DARENSBOURG GORDON, CLULEE, GIBBS,
DUFRENE, BELLOCK, FISHER, FISHER-PERRIER
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 23rd day of August, 2021, to become effective October 1, 2021.

2019-0061 Amend Code Ord. - Ch. 7 fill restrictions 7-15-21

CHAIRMAN: Marihu Bestock
SECRETARY: Michelle Dupardato
DLVD/PARISH PRESIDENT: August 24, 2021
APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: Matt Jewell
RETD/SECRETARY: August 24, 2021
AT: 3:48 pm RECD BY: (Signature)

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 - (2) For lots less than one (1) acre in size, fill in excess of the adjacent property's existing grade shall not be placed within ten (10) feet of any property line and a swale of no less than five (5) feet wide shall be installed and maintained to drain rainwater runoff to a legal drainage conveyance. This option is only available if the grading for drainage can be accomplished without adding fill within ten-foot of the property line.
 - a. For lots in excess of one (1) acre, fill in excess of the adjacent property's existing grade shall not be placed within fifteen (15) feet of the property line. The fifteen-foot area shall be graded to direct water away from all sides not adjacent to a legal drainage conveyance.
 - (3) A masonry perimeter chainwall of not less than six (6) inches above the perimeter fill level shall be installed and maintained on all property lines not adjacent to a legal drainage conveyance.
 - (4) A minimum of three (3) drainage inlets shall be installed into the rear and side yards as is appropriate to the lot configuration. All added fill shall direct runoff to these inlets. These inlets shall direct runoff to a legal drainage conveyance (swale, street, etc.) through PVC piping with a minimum diameter of four (4) inches. Drainage inlets shall be maintained and kept free of obstructions.
 - (5) Any drainage solution submitted with the stamp of a civil engineer licensed to work in the State of Louisiana and approved by the director of the department of public works, or their designee.
- (d) A topographic survey demonstrating the pattern of drainage conveyance is required prior to final occupancy.