

Ord.
2014-0048

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. 14-3-5

An ordinance to amend the St. Charles Parish Code of Ordinances, Appendix C. Subdivision Regulations, Section II. Subdivision procedure, H. Acceptance of Improvements. by revising 1. Procedure. and 2. Maintenance Agreement/Surety Bond.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Appendix C. Subdivision Regulations, Section II. Subdivision procedure, H. Acceptance of Improvements. 1. Procedure. and 2. Maintenance Agreement/Surety Bond. be amended to read as follows:

H. Acceptance of Improvements.

1. Procedure. When construction is complete and in accordance with approved plans and specifications and after the railroad crossing(s), if any, has been accepted by the Parish, the subdivider, through his engineer, shall certify that all work has been completed and may request final inspection so that he may obtain written approval and acceptance from the St. Charles Parish Council. For a period of twelve (12) months after acceptance of the work, the subdivider shall keep all filled trenches, pipes, manholes, structures, paved or unpaved surfaces, railroad crossings, etc. constructed and in good condition. The subdivider shall make repairs to such defects in material and workmanship as may develop and may be discovered. If sewage treatment plants and/or pumping stations are constructed, the subdivider shall guarantee materials and workmanship of these facilities for a period of twelve (12) months. The subdivider shall also be responsible for reimbursing the Parish for any repair or maintenance cost associated with railroad crossings and related mechanical devices submitted to the Parish by the railroad from the date of the crossing(s) acceptance by the Parish until the end of the twenty-four-month period following acceptance. Railroad crossings shall remain the property of the developer until dedicated to and accepted by the Parish. The Public Works Department shall develop a standard inspection checklist covering each possible warranted item constructed or installed within a new subdivision. The checklist shall be used by the Parish during the inspection of the subdivisions with the developer (or its authorized representative) within a 2 week period prior to the end of the warranty period. Within five (5) days following the inspection, the Parish Council shall be forwarded a copy of the completed inspection checklist along with a copy of a Public Works letter formally informing the developer of items to be addressed. All items noted to be repaired and/or addressed shall be repaired and/or addressed to the satisfaction of the Public Works Department Within forty-five (45) days following the date of the letter. Upon all items being addressed and/or repaired, the Public Works Department shall provide the Parish Council and the Developer with a letter indicating such. In the event that not all items are addressed and/or repaired with the forty-five (45) day period, the Parish shall immediately take the steps needed to have the items addressed and/or repaired under the provision of the Maintenance Agreement/Surety Bond. Prior to final plat approval, the applicant shall submit a fee of one thousand dollars (\$1,000.00) to pay for the Parish's final warranty inspection. Any unused fees will be reimbursed by the Parish. Upon Parish inspection of the satisfactorily completed warranty work by the developer, the Public Works Department shall notify the Developer and the Council in writing that the work has been accepted thereby ending the Developer's responsibility for the subdivision improvements unless other stipulations relating to identified deficiencies are imposed on the developer by the Parish, which may extend certain warranty periods on certain items as agreed to by both parties. (Ord. No. 00-8-1, § V, 8-7-00; Ord. No. 08-11-2, § I, 11-3-08)
2. Maintenance Agreement/Surety Bond. The subdivider shall file with the parish a maintenance agreement and surety bond securing to the Parish Council the

satisfactory performance of this work for a period of eighteen (18) months from the date of the bond. The amount of the bond shall be ten (10) percent of the cost of the improvements as determined by the Parish Engineer and the form of the bond shall be approved by the Parish Attorney. The bond shall only be subject to cancellation prior to its eighteen (18) month duration upon the Parish President receiving the letter from the Public Works Department indicating that all items have been addressed and/or repaired and the Parish President writing a letter indicating such and authorizing the cancellation of the bond.

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

YEAS: SCHEXNAYDRE, WILSON, WOODRUFF, BENEDETTO, HOGAN, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: TASTET, COCHRAN

And the ordinance was declared adopted this 10th day of March, 2014 to become effective five (5) days after publication in the Official Journal.

Appendix C - Subdivision warranty changes (1-21-14)

CHAIRMAN:  _____

SECRETARY:  _____

DLVD/PARISH PRESIDENT: 3/11/14 _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT:  _____

RETD/SECRETARY: 3/11/14 _____

AT: 3:49 pm RECD BY:  _____