



ST. CHARLES PARISH


PAUL J. HOGAN, PE

COUNCILMAN, DISTRICT IV

MEMORANDUM

DATE: AUGUST 4, 2009

TO: MS. KIMBERLY MAROUSEK
PLANNING & ZONING DIRECTOR

FROM: PAUL J. HOGAN, PE
COUNCILMAN, DISTRICT IV 

RE: PROPOSED STREET LIGHT ORDINANCE AND CONSTRUCTION
PLAN APPROVAL REQUIREMENTS

Please have the two enclosed proposed ordinances placed on the Agenda for the September 3, 2009 Planning & Zoning Commission Meeting.

Thanks.

PJH/BJT176/201:ag

enclosures

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2009-

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. _____**

An ordinance to amend the St. Charles Parish Code of Ordinances Appendix C, St. Charles Parish Subdivision Regulations of 1981, Section II. Subdivision procedure, F. Subdivision Construction, 1. Approval Procedure.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Appendix C, Subdivision Regulations, Section II. Subdivision procedure, F. Subdivision Construction, 1. Approval Procedure is hereby amended as follows:

AS WRITTEN:

1. Approval Procedure – Planning Commission Approval Required. After receiving Commission approval of the Preliminary Plat and approval by the railroad company for installation of a new railroad crossing (if any) to be dedicated for public subdivision access, the Subdivider shall submit one (1) Mylar or film reproducible, and five (5) original copies of complete construction plans and specifications, and one (1) 11" x 17" Mylar or film reproducible copy of the site plan to the Department of Planning and Zoning for the area to be developed. The Department of Planning and Zoning shall keep the Mylar or film reproducible complete set, and 11" x 17" copy and shall distribute two (2) copies to the Department of Public Works and Wastewater and one (1) copy to the Department of Waterworks.

Upon acceptance of the complete construction plans and specifications, letters of no objection from the Directors of the Department of Public Works and Wastewater, the Department of Waterworks, the Contract Monitor (for street light plan), and Parks and Recreation (detailing the accepted recreation obligation), shall be forwarded to the Planning and Zoning Commission via the Department of Planning and Zoning. Upon receipt, the Planning and Zoning Commission shall, through the Department of Planning and Zoning, schedule a public hearing on the proposed construction approval for the subdivision. No construction work shall begin until formal construction approval by the Planning and Zoning Commission is granted.

Upon Construction Approval by the Planning and Zoning Commission, the Director of Planning and Zoning shall notify the Subdivider by registered letter that he may proceed with the construction of the proposed subdivision. This notification shall also include an itemized listing of all remaining subdivision development fees, which shall be due and payable to the parish at least fifteen (15) days prior to Final Plat consideration by the Council. The Subdivider is then obligated to inform the Director of Planning and Zoning in writing of his intention to proceed, so that arrangements may be made to monitor the installation of improvements.

REVISED

1. Approval Procedure – Planning Commission Approval Required. After receiving Commission approval of the Preliminary Plat and approval by the railroad company for installation of a new railroad crossing (if any) to be dedicated for public subdivision access, the Subdivider shall submit one (1) Mylar or film reproducible, and five (5) original copies of complete construction plans and specifications, and one (1) 11" x 17" Mylar or film reproducible copy of the site plan to the Department of Planning and Zoning for the area to be developed. The Department of Planning and Zoning shall keep the Mylar or film reproducible complete set, and 11" x 17" copy and shall distribute two (2) copies to the Department of Public Works and Wastewater and one (1) copy to the Department of Waterworks. **In addition to and along with submission of the construction plans for approval, the Subdivider shall submit a letter to the Director of Planning and Zoning identifying all utilities that proposed for installation within the Subdivision such as electrical service, phone service, cable TV service, natural gas service, and any other such service.**

Upon acceptance of the complete construction plans and specifications, letters of no objection from the Directors of the Department of Public Works and Wastewater, the Department of Waterworks, the Contract Monitor (for street light plan), and Parks and Recreation (detailing the accepted recreation obligation), shall be forwarded to the Planning and Zoning Commission via the Department of Planning and Zoning. Upon receipt, the Planning and Zoning Commission shall, through the Department of Planning and Zoning, schedule a public hearing on the proposed construction approval for the subdivision. No construction work shall begin until formal construction approval by the Planning and Zoning Commission is granted.

Upon Construction Approval by the Planning and Zoning Commission, the Director of Planning and Zoning shall notify the Subdivider by registered letter that he may proceed with the construction of the proposed subdivision. This notification shall also include an itemized listing of all remaining subdivision development fees, which shall be due and payable to the parish at least fifteen (15) days prior to Final Plat consideration by the Council. The Subdivider is then obligated to inform the Director of Planning and Zoning in writing of his intention to proceed, so that arrangements may be made to monitor the installation of improvements. **Within forty-five (45) days of the mailing date of the registered letter to the Subdivider, the Subdivider shall submit the following to the Director of Planning and Zoning: 1) Copies of each notification letter sent registered mail notifying the utility service providers of the subdivision construction approval, the need for their service, an estimated date for completion of the subdivision, and notification that their utility must be installed as soon as possible after the construction improvements are in place, and 2) Letters from each utility service providers acknowledging receipt of the notification letter from the Subdivider which shall also include a statement noting that the Developer shall be provided with seven (7) day advance notice prior to the start of the installation of the utility. Should the required letters not be received within the forty-five (45) day period, a cease and desist order shall be issued to halt construction until such time that the required letters are received. Should the installation of any utilities damage any items dedicated in this subdivision to St. Charles Parish, the Subdivider shall remain responsible for any required repairs that results from the utility installation, including damage which occurs beyond the 12 month period following the act of dedication.**

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

And the ordinance was declared adopted this ____ day of _____, 2009, to become effective five (5) days after publication in the Official Journal.

Amend Code App. C Sub Construction-Paul

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2009-0054

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. _____

An ordinance to amend the Code of Ordinances Appendix "C", IV. Design Standards, E. Miscellaneous, 3. Electrical Service/Street Lights, c. and d.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Appendix "C", IV. Design Standards, E. Miscellaneous, 3. Electrical Service/Street Lights, c. and d., is hereby amended as follows:

AS WRITTEN:

- c. The Parish of St. Charles shall not be responsible for maintenance of street light facilities until at least one (1) building or house is occupied on property adjoining the street light circuit serving that property.
- d. Before final acceptance of a subdivision's street light facilities, the following conditions must be met:
 - 1. The developer must deposit the cash sum of three hundred dollars (\$300.00) per street light with the Parish of St. Charles.
 - 2. The cash deposit held in escrow will be utilized to pay for any damage to street light facilities, by construction, vandalism, or any other cause occurring prior to the time of occupancy as required in Section IV.E.3.c. above.
 - 3. When all of the street light circuits within a project have met the occupancy requirement as provided in Section IV.E.3.c. above, the cash deposit, less cost of repairs, if any, shall be refunded to the developer.

REVISED:

- c. The developer may request that the street lights be energized by the Parish once all electrical services have been installed in a subdivision. The request shall be made in writing to the Parish Contract Monitor and shall include the subdivision name, the street(s) on which the light(s) are to be energized, and the number of single and/or double arm light poles to be energized on each street. This notice shall also include written confirmation by the electrical utility provider that the electrical system required for energizing the light standards is in service. The request to energize street lights shall not be made prior to the Council's acceptance of the dedication of subdivision improvements. Upon receipt of the developer's request to energize the street light system, the Parish shall forward to the electrical utility provider and the developer, written approval to energize the street lights.
- d. Before final acceptance of a subdivision's street light facilities, the following conditions must be met:
 - 1. The developer must have deposited the cash sum of three hundred dollars (\$300.00) per street light (the total sum being known as the street light deposit) with the Parish of St. Charles prior to the Act of Dedication to the Parish.
 - 2. The street light deposit held in escrow shall be utilized to pay for any damage to street light facilities, by construction, vandalism, or any other cause should the developer fail to make the repairs or fail to provide the Parish with written notification of provisions for repair within 1 week after receiving written notification from the Parish via certified mail.
 - 3. The developer must have provided five (5) day advance written notice prior to the start of the installation of each private utility (power, phone, cable, natural gas, etc.) to the Contract Monitor, the Planning and Zoning Director, and the Public Works Director for the installations which occurred after the Act of Dedication. A penalty fee equal to 1/2 of the remaining amount of the street light deposit shall be imposed should the developer fail to provide any of the required notices. Upon final installation of all private utilities within the subdivision, the cash deposit (less cost of repairs by the Parish, if any, and less the penalty fee, if any) shall be refunded to the developer. In no case shall the deposit be refunded prior to the one (1) year anniversary of the Parish's written request to energize the street lights.

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

And the ordinance was declared adopted this ____ day of _____, 2009, to become effective five (5) days after publication in the Official Journal.
Street Lights Amend Code - Appendix C, Section IV ord revised

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____