

DRAFT

2015-0144

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. _____

An ordinance to amend the Code of Ordinances by revising Chapter 21, Article I, amending Section 21-1 (a)(5), (f), and to remove 21-1 (g), regarding the installation of culverts on streets containing open swale drainage that have not been pre-engineered for subsurface culverts.

WHEREAS, a pilot program was established to determine what procedures are required to properly install these culverts; and,

WHEREAS, that pilot program was successful; and,

WHEREAS, numerous residents of streets that have open swale/ditch drainage systems and are not pre-engineered for subsurface culverts have expressed a desire to have their ditches closed in with subsurface culverts; and,

WHEREAS, in order to respond to these requests and still maintain the integrity of the overall drainage systems, it is necessary that the Parish establish procedures for said installations.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Chapter 21, Article I is amended as follows:

Section 21-1 (a)(5)

As written:

(5) Within forty-five (45) days after specifications are provided by the parish, all required culverts, and cleanout boxes shall be installed, without placing backfill, and the department notified for initial inspection. The permit shall be void at the end of this forty-five-day period unless the department has been notified for initial inspection.

Amended:

(5) Within ninety (90) days of issuance of permit by the parish, all required culverts, and cleanout boxes shall be installed, without placing backfill, and the department notified for initial inspection. The permit shall be void at the end of this ninety-day period unless the department has been notified for initial inspection.

Section 21-1 (f)

As written:

(f) *Converting open swale to subsurface in other areas not accepted by the parish.*

(1) The owners of all of the lots in either a subdivision, or areas considered as a connected drainage system, must petition the department of public works to request that subsurface drainage be allowed to be installed in the identified area(s). The "connected drainage area" will be determined at the time of the petition request and is defined as all inlet, exit, and interconnecting flows. Said petition shall include a copy of the subdivision restrictions to ensure that subsurface drainage is allowed in the subdivision per the restrictions. It shall be unlawful to allow for the installation of culverts in any subdivision in violation of the respective subdivision restrictions.

(2) The subdivision or identified area(s) owners shall obtain a department of public works approved engineering firm to provide an estimated cost of the design and construction services required to install the subsurface drainage system for said subdivision or area(s) considered as a connected drainage system. Said engineering services shall include, but is not limited to, the sizing of culverts, invert elevations, inspection costs, driveway replacements, relocating conflicting utilities, and all necessary drawings and documents stamped by a Louisiana Professional Engineer, along with an estimate of the sub-surfacing cost of each lot. Approval of the engineering designs is necessary from the public works department in order to move forward.

(3) The subdivision property owners or areas considered as a connected drainage system shall be informed that either the entire subdivision or the identified connected drainage area owners must agree to the sub-surfacing and that payment for all cost, including engineering, materials, public works department cost (project management) inspection costs, and installation shall be the responsibility of the each property owner. This work is being done at the request of the property owners and does not necessarily mean that it is being done to address a drainage problem but to make the subdivision more aesthetically pleasing and improve the property values. The property owners shall have the option to pursue this work under the provisions of the front foot assessment program authorized by state law, provided all cost are paid by the property owners.

Amended:

- (f) *Converting open swale to subsurface in other areas accepted by the parish.*
- (1) Property Owners who wish to convert open swale/ditch drainage systems to subsurface culverts may apply to obtain a culvert permit with the department of public works.
- (2) A fee of \$250.00 will be charged for each lot and paid by the property owner to cover the review and inspection of the proposed underground culverts. A second fee for engineering will be charged for each lot. The engineering fee shall be paid by the property owner to cover the cost of engineering the proposed underground culverts on that lot and shall be calculated as follows: a \$250.00 flat fee for the first 100 linear feet fronting the street and \$2.50 per linear foot for each additional linear foot. All fees collected will be credited to the department of public works. Said fees shall be adjusted on June 1, 2015 and each year thereafter in an amount equal to the Consumer Price Index, applicable to the New Orleans – Baton Rouge Area, as published by the United States Department of Labor, Bureau of Labor Statistics. Said adjustment shall be equal to the net percentage change in the CPI for the prior calendar year and rounded up to the nearest dollar.
- a. The engineering fee shall not apply for those properties in the following subdivisions that contain open swale drainage and currently have stamped engineering designs to install subsurface culverts: Fashion I, River Wood, and Primrose Estates.
 - b. The engineering fee shall not apply for those property owners who have paid for a Louisiana Professional Engineer to create an installation plan. The installation plan shall include, but is not limited to, verification and depiction of the sizing of culverts and a determination of all invert elevations impacting and impacted by the project area. All necessary drawings and documents shall be stamped by a Louisiana Professional Engineer. Approval of the installation plan by the director of public works is required prior to construction.
 - c. For underground culverts installed by the department of public works, the provisions outlined in Section 21-1 (b)(2) shall apply.
- (3) The property owner(s) shall petition the department of public works to request that subsurface drainage be allowed on that property owner's individual street. Upon receiving that request by submittal of a completed culvert permit application, staff from the department of public works will survey and collect data, set elevations of outfalls, and determine the required culvert size.
- (4) The property owner(s) will be responsible for all cost associated with installing the culverts including, but not limited to, an installation plan, if applicable, materials, driveway replacements if required, special connection boxes, relocation of conflicting utilities, replacement cost for any previously installed undersized culverts, inspections, and construction labor.
- (5) Cleanout boxes shall be required for every forty (40) feet of culverts. Where it is deemed to be in the best interest of the parish drainage system, the director of public works may allow a deviation of this footage requirement.
- (6) Catch basins shall be installed in accordance with Code of Ordinances, Appendix C, Article IV, Section D-2 (a).
- (7) All culverts shall be either concrete or smooth bore plastic pipe A2000 (or equivalent) designed for drainage.

Section 21-1 (g), which established the pilot program, shall be removed in its entirety from the Code of Ordinances, Chapter 21, Article I.

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

And the ordinance was declared adopted this _____ day of _____, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____