

2000-0341

INTRODUCED BY: ALBERT LAQUE, PARISH PRESIDENT
(Department of Planning & Zoning)

ORDINANCE NO. 00-8-1

An ordinance to amend the St. Charles Parish Code of Ordinances, Appendix C of the Subdivision Regulations, Sections II.B.2.t., II.D.1., II.D.2., II.E.3.c., II.F.1., III.A., IV.A., and IV.E.2., concerning the design, dedication, and maintenance of railroad crossings of subdivision roadways before final subdivision approval.

- WHEREAS, certain developable lands in the St. Charles Parish are bisected by railroad tracks; and,
- WHEREAS, vehicular access to these lands would necessitate the construction of railroad crossings; and,
- WHEREAS, it is the desire of the St. Charles Parish Council to ensure the safe crossing of any railroad tracks; and,
- WHEREAS, guidelines pertaining to the construction, dedication, and maintenance responsibility of railroad crossings in St. Charles Parish are not specified in the Subdivision Regulations; and,
- WHEREAS, the St. Charles Parish Council desires to require that railroad crossings in St. Charles Parish are constructed according to all applicable Parish, State, Federal, and railroad company guidelines and are maintained to ensure maximum safety; and,
- WHEREAS, it is the desire of the St. Charles Parish Council to ensure that the developer be required to warrant such railroad crossings for a period of at least two (2) year from Final Plat Approval.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Appendix C, Section II.B.2.t. Preliminary Plat Requirements, is hereby amended by adding the following:

- t. A composite road plan with graphic alignment, proposed street names, right-of-way widths, curve radii and tangent length, intended type of surfacing material, street lighting plan, **and the location and type of any proposed railroad crossing(s) for subdivision access.**

SECTION II. That the St. Charles Parish Code of Ordinances, Appendix C, Section II.D.1., Approval Procedure, is hereby amended by adding the following **(indicated in bold letters):**

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 complete construction plans and specifications to the Department of Planning and Zoning for the area to be developed. The construction plans shall conform to specifications outlined in these regulations. No construction work shall begin until the construction plans and Drainage Impact Analysis have been approved by the Parish Engineer, and the written recommendations of the Parish Engineer have been received by the Director of Planning and Zoning. Upon approval of construction plans and Drainage Impact Analysis, 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.

SECTION III. That the St. Charles Parish Code of Ordinances, Appendix C, Section II.D.2. Preliminary Plat Requirements, is hereby amended by adding subparagraph k.:

- k. **Railroad Crossing(s).** If roadway requires a railroad crossing for subdivision access, the Subdivider shall submit with the construction plans a copy of the proposed railroad crossing agreement required by the applicable railroad company. The Parish Attorney shall review and return the proposed agreement with comments to the developer within two (2) weeks of the submittal date. Upon submittal of an agreement satisfactory to the Parish Attorney, the Parish President is given authority to execute the agreement as needed for construction of the railroad crossing.

SECTION IV. That the St. Charles Parish Code of Ordinances, Appendix C, Section II.E.3.c. Final Plat/Additional Submission Requirements is hereby amended by adding the following (**indicated in bold letters**):

Act of Dedication. Submission of the final Plat shall be accompanied by a written "Act of Dedication" (example supplied by the parish upon request) which shall be signed by the owner(s) dedicating the streets, rights-of-way, **and railroad crossings (if any)** to the perpetual use of the public for proper purposes. **If railroad crossings required for subdivision access are to be dedicated, the Parish shall perform the required action for accepting ownership and maintenance of said railroad crossings within ten (10) working days of the Act of Dedication being accepted by the Parish, if not done so previously.**

SECTION V. That the St. Charles Parish Code of Ordinances, Appendix C, Section II.F.1. Acceptance of Improvements is hereby amended by adding the following (**indicated in bold letters**):

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 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 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 crossing(s) acceptance by the Parish until the end of the twenty-four month period. Railroad crossings shall remain the property of the developer until dedicated to and accepted by the Parish.**

SECTION VI That the St. Charles Parish Code of Ordinances, Appendix C, Section III.A., Geometric Standards for streets, is hereby amended by adding the following subparagraph:

6. **Railroad Crossings.** All railroad crossings shall conform to the standards and specifications set out in the Louisiana Manual of Uniform Traffic Control Devices, as well as all Parish, State, Federal, and railroad requirements.

SECTION VII. That the St. Charles Parish Code of Ordinances, Appendix C, Section IV.A., Design Standards for streets, is hereby amended by adding the following subparagraph:

8. **Railroad Crossings.** All railroad crossings shall conform to the standards and specifications set out in the Louisiana Manual of Uniform Traffic Control Devices, as well as all Parish, State, Federal, and railroad requirements. All roads entering railroad

crossings shall consist of at least one travel lane in each direction with a median strip between opposing lanes. Minimum curb height of median shall be eight (8) inches. At least one (1) flashing light signal with automatic gate shall protect each side of the railroad crossing. Upon activation of flashing light signal, automatic gate shall lower to extend within one (1) foot of median curb. Maximum length of automatic gate shall be thirty-two (32) feet.

SECTION VIII. That the St. Charles Parish Code of Ordinances, Appendix C, Section IV.E.2. Miscellaneous, is hereby amended by revising subparagraph 2 as follows:

2. Traffic control signs and signals. The Subdivider shall provide necessary traffic control signs, signals, and devices for all new streets within the subdivision. All signs and devices shall conform to the Louisiana Manual of Uniform Traffic Control Devices and Parish and State requirements and shall be in place before acceptance of construction improvements.

Streets within the proposed subdivision which cross railroad rights-of-way shall, at railroad crossing, contain a median strip between opposing traffic lanes. Minimum curb height of median shall be eight (8) inches. Railroad crossing shall be protected with at least one flashing light signal on each side of railroad crossing. Each sign shall include at least one (1) automatic gate that when activated to lower across roadway, extends to within one (1) foot of the median curb.

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

YEAS: RAMCHANDRAN, FAUCHEUX, HILAIRE, FABRE, ABADIE, AUTHEMENT, BLACK, MARINO

NAYS: NONE

ABSENT: MINNICH

And the Ordinance was declared adopted this 7th day of August, 2000, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Tony Aubrey

SECRETARY: Jean Bicaud ^{vp}

DLVD/PARISH PRESIDENT: August 8, 2000

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: Albert D. Lague

RETD/SECRETARY: Aug 9, 2000

AT: 9:30 AM RECD BY: JB