

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3885

ORDINANCE COUNCIL SERIES NO. 08-

COUNCIL SPONSOR: BINDER/DAVIS

PROVIDED BY: ENGINEERING

INTRODUCED BY: MR. THOMPSON

SECONDED BY: MR. GOULD

ON THE 3<sup>RD</sup> DAY OF JULY, 2008

ORDINANCE TO AMEND AND REENACT ST. TAMMANY PARISH ORDINANCE C.S. NO. 07-1510, ADOPTED FEBRUARY 1, 2007 WHICH AMENDED THE CODE OF ORDINANCES, CHAPTER 20, ROADS AND BRIDGES SECTION 20.010.03 LOCATION AND PLACEMENT OF PUBLIC AND PRIVATE UTILITY EQUIPMENT AND COLLECTION AND/OR DISTRIBUTION LINES IN PARISH RIGHTS OF WAY

WHEREAS, by Ordinance No. 92-1288, the St. Tammany Parish Police Jury amended the Code of ordinances, Chapter 20, Roads and Bridges, Sec. 20-010-03, Location and Placement; and

WHEREAS, Section 20-010.00 Provides regulation for public & private utilities in parish rights-of-way relative to new developments/subdivisions and relocation of existing utilities; and

WHEREAS, Sec.20-010.03 provides detailed requirements for the location of public and private utility equipment and collection and/or distribution lines; and

WHEREAS, the proper general maintenance and safety conditions of parish rights-of-way may be compromised by the placement and location of above ground utility structures; and

WHEREAS, above ground utility structures have the potential to detract from green spaces and general aesthetics of a given area

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that Ordinance No. 92-1288, adopted June 21, 1990 is amended and reenacted to provide further requirements for the location of public and private utility equipment and collection and/or distribution lines, specifically as it pertains to placement of new above ground utility housing structures to provide as follows:

**SEC. 20-010.03 Location And Placement**

All public and private utility equipment and collection and/or distribution lines shall be located as detailed in attachment A (of Ordinance No. 90-1331), as well as, the requirements listed below.

a) It shall be unlawful to cut any Parish roadway for the purpose of installing any utility. When crossing lanes, utilities shall be bored or jacked and installed through a casing in accordance with LDOTD (Louisiana Department of Transportation and Development) specifications, as follows:

- 1) High Pressure Transmission lines shall be a minimum of 72 inches (72") below road crown.
- 2) All other line shall be a minimum of 36 inches (36") below the road crown, or a minimum of 24 inches (24") below the ditch bottom, whichever is deeper.

b) All underground utilities paralleling lanes shall be a minimum of 24 inches (24") below the surface or invert of ditch, whichever is deeper.

Exception: Telecommunication and Cable TV service lines may be buried a minimum of 8 inches (8") below the back side of the ditch only. This exception is conditioned upon and shall apply to a utility company only if the Parish receives a Hold Harmless Agreement from that utility company and that same is approved by the Division of Utility Regulation and Enforcement of the Department of Public Works. Said agreement shall hold the Parish, its employees, as well as any person performing work for the Parish, harmless for any damage caused to these lines, as well as, any cost incurred for same.

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d) All utilities paralleling lanes shall be placed on the back side of the ditch as shown on Attachment "A".  
(See Ordinance No. 90-1331)

e) Trenches shall be backfilled and tamped or compacted with acceptable materials in accordance with LDOTD standards (Gold Book) and shall be maintained as required.

f) After August 15, 2008, with the exception of utility poles, placement of new above ground utility housing structures larger than 3 cubic feet is prohibited within the parish rights-of-way.

Above ground structures less than 3 cubic feet in size shall be no more than 2 feet from the rights-of-way line and shall not obstruct rights-of-way maintenance.

The proposed placement of structures less than 3 cubic feet in size in the right-of-way of a tacit dedication or in any right-of-way less than 50 feet wide shall be submitted to the Department of Engineering and shall be subject to the review and approval by the Director of the Department of Engineering.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: \_\_\_\_\_, SECONDED BY: \_\_\_\_\_

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008; AND BECOMES ORDINANCE COUNCIL SERIES NO. 08-.

\_\_\_\_\_  
JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
THERESA L. FORD, COUNCIL CLERK

\_\_\_\_\_  
KEVIN DAVIS, PARISH PRESIDENT

Published introduction: JUNE 26, 2008

Published adoption on: \_\_\_\_\_, 2008

Delivered to Parish President: \_\_\_\_\_, 2008 @ \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2008 @ \_\_\_\_\_