

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3831

ORDINANCE C.S. NO. _____

COUNCIL SPONSOR: MR. GOULD

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: MR. BURKHALTER

SECONDED BY: MR. STEFANCIK

ON THE 1ST DAY OF MAY, 2008

ORDINANCE AMENDING AND REENACTING ST. TAMMANY PARISH CODE OF ORDINANCES, CHAPTER 20, ROADS AND BRIDGES, TO ADD A NEW SECTION 20-010.03.01, REQUIRING SUBSURFACE PLACEMENT OF PUBLIC AND PRIVATE UTILITIES WITHIN OR ADJACENT TO THE PARISH RIGHTS-OF-WAY ON FAIRWAY DRIVE EXTENSION, EMERALD FOREST BOULEVARD AND FALCONER DRIVE EXTENSION.(WARD 4, DISTRICT 5)

WHEREAS, St. Tammany Parish recognizes that it is in the best interest of public health, safety and welfare to endeavor, whenever possible, to have public and private utilities installed underground; and

WHEREAS, in the further interest of hazard mitigation and aesthetics in and around new major travel corridors in the parish; and

WHEREAS, by having utilities installed underground, the following additional benefits will result: a reduction in the frequency and duration of any interruption of service; faster recovery in the event of natural disasters, such as hurricanes; and a reduction in the amount of damage and/or severity of injuries that may result from vehicles striking telephone poles or appurtenances within the rights-of way.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the Parish Code of Ordinances, Chapter 20, is amended and reenacted to add Section 20-010.03.01 Public and Private Utilities In and Adjacent to Certain Parish Road Rights-of-way as follows, to wit:

Section 20-010.03.01 Public & Private Utilities In And Adjacent To Certain Parish Road Rights-of-Way

All public and private utility equipment and collection and/or distribution lines within or adjacent to the following parish road rights-of-way shall be located *subsurface* pursuant to parish standard requirements, as well as, the additional requirements listed below. Aerial utility lines are expressly prohibited.

**Fairway Drive Extension
Emerald Forest Boulevard
Falconer Drive Extension**

- 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.
- c) All utilities paralleling lanes shall be placed on the back side of the ditch.

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.

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

REPEAL: The amendment, which is limited in its scope and application to the particular listed roadways shall not be held to repeal any previously existing ordinance or parts of ordinances.

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 Ordinances are hereby declared to be severable.

DATE OF ENACTMENT: This Ordinance shall become effective immediately upon final 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 DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE _____ DAY OF _____, 2008 AND BECOMES ORDINANCE COUNCIL SERIES NO. _____

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: _____, 2008

Published adoption: _____, 2008

Delivered to Parish President : _____, 2008 at _____

Returned to Council Clerk: _____, 2008 at _____