

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6711AA

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: LORINO/COOPER

PROVIDED BY: PLANNING DEVELOPMENT

INTRODUCED BY: MS. TANNER

SECONDED BY: MR. TOLEDANO

ON THE 4 DAY OF NOVEMBER , 2021

AN ORDINANCE TO AMEND ST. TAMMANY CODE OF ORDINANCES CHAPTER 125-88 TO INCORPORATE UPDATED AND NEW CRITERIA AND STANDARDS FOR DESIGN AND LOCATION OF DRAINAGE DITCHES, CHANNELS, CANALS, AND SIMILAR DRAINAGE FEATURES, INCLUDING SUBSURFACE DRAINAGE. (2021-2486)

WHEREAS, see attached.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS:

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 2 DAY OF DECEMBER , 2021 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: NOVEMBER 17 , 2021

Published Adoption: _____, 2021

Delivered to Parish President: _____, 2021 at _____

Returned to Council Clerk: _____, 2021 at _____

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 6711AA ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: LORINO/COOPER PROVIDED BY: PLANING/DEVELOPMENT

INTRODUCED BY: MS. TANNER SECONDED BY: MR. TOLEDANO

ON THE 4TH DAY OF NOVEMBER, 2021

ORDINANCE TO AMEND ST. TAMMANY CODE OF ORDINANCES
CHAPTER 125-88 TO INCORPORATE UPDATED AND NEW CRITERIA
AND STANDARDS FOR DESIGN AND LOCATION OF DRAINAGE
DITCHES, CHANNELS, CANALS, AND SIMILAR DRAINAGE FEATURES,
INCLUDING SUBSURFACE DRAINAGE.

WHEREAS, the Parish finds it necessary to clarify the criteria for the developer's engineer to design drainage infrastructure to minimize conflicts with encroachments,

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that it amends, supplements, and reenacts the St. Tammany Code of Ordinances Chapter 125-88 as follows:

Sec. 125-88. - Drainage.

- (a) ~~The drainage and flood control provisions to apply. The drainage and flood control provisions of the parish Code of Ordinances are incorporated herein and shall be applicable to the placement of any fill material and/or construction on any lot or parcel of property, or any part thereof, which property and/or activity is governed by the drainage and flood control provisions. In the event of any conflict between the drainage and flood control provisions and those contained within this section, the more stringent or restrictive provision shall apply.~~

The purpose of these regulations is to ensure the general health, safety, and welfare of the citizens of St. Tammany Parish. These provisions apply to all land and improvements within the unincorporated limits of St. Tammany Parish unless expressly exempted herein or by any other applicable law. The provisions of Chapter 115. Drainage and Flood Control are incorporated herein and shall be applicable to the modification of existing drainage, placement of any fill material, and/or construction on any lot or parcel of property, in whole or in part. In the event of any conflict between the provisions of Chapter 115. Drainage and Flood Control and those contained within this section, the more stringent or restrictive provision shall apply.

(b) Drainage systems-

- (1) A drainage system shall be provided and designed in accordance with the best modern engineering practices so as to adequately contain and carry off, to the point of ultimate disposal, such runoff as can be expected in the area, taking into consideration the number and type of buildings or structures to be erected ~~in the subdivision~~ and certifying that the runoff will not be increased by the proposed development.

(2) Culverts-

- a. All culverts positioned within the drainage system ~~shall be constructed of concrete, metal or plastic in accordance with the state department of transportation and development (DOTD) Engineering Directives and Standards Manual (EDSM) Nos. H.2.1.1; H.2.1.6 and H.2.1.13, dated July 20, 1992, as amended and within standards acceptable to the department of engineering~~ shall be constructed of concrete, bituminous-coated metal, or plastic in accordance with the latest revision of Louisiana Department of Transportation and Development ("LADOTD") Engineering Directives and Standards Manual ("EDSM") Nos. 11.2.1.1, 11.2.1.6,

and 11.2.1.13; the latest revision of LADOTD Standard Specifications for Roads and Bridges; and within standards acceptable to the Department of Engineering.

- b. All culverts may be constructed of durable concrete; however, corrugated metal pipe and plastic pipe may be used for residential driveways and subsurface conveyance where there is no traffic load. Culverts under roadways shall be concrete pipe constructed in accordance with the latest version of the LADOTD Standard Specifications for Roads and Bridges.
 - c. Culverts under roadways shall be installed perpendicular to the roadway; except where crossing existing drainage features or approved by the Parish Engineer.
 - d. All corrugated metal pipe shall be a minimum of 146 gauge and bituminous coated.
 - e. All plastic pipe shall be ribbed or corrugated and double walled.
- (3) Permanent bench marks shall be installed by the developer's engineer or surveyor at convenient locations as approved by the ~~p~~Parish ~~E~~ngineer in each subdivision before final approval is granted. ~~Bench marks can be made with concrete, a spike driven into a permanent tree, or other suitable material approved by the p~~Parish ~~E~~ngineer. The location and elevation of each bench mark shall be clearly noted on the plat of the subdivision filed for record with the ~~e~~Clerk of ~~e~~Court. Whenever practical, the elevation of the bench mark shall accurately be related to mean sea level as established by the U.S. Coast and Geodetic Survey, the U.S. Army Corps of Engineers, or the ~~state department of highways~~ LADOTD.
- (4) The elevation of the center of the completed streets shall also be noted on the ~~"file"~~ plat as-built paving and drainage plan at intervals not to exceed 1,500 feet fifteen hundred five hundred feet (1,500') (500') and at all intersecting roadways, and said elevations are to be established from the bench mark after completion.
- (5) Final as-built paving and drainage plans must indicate the invert elevation of the roadside ditch at each property line.
- (6) Any subdivision to be approved following adoption of the ordinance from which this subsection (b)(6) is derived shall be subject to the following procedures and requirements:
- a. The subdivision plans must accurately depict the location of any open drainage ditch, ~~drainage~~ channel, canal, or similar drainage feature, and any natural river or stream that is situated within the boundaries of the proposed subdivision.
 - b. Except as provided in section 130-2128 "Boat houses and boat slips," no part of a permanent structure, including a driveway and/or fence, shall be located within twenty feet (20') of the top of bank of an open drainage ditch, channel, canal, or similar drainage feature, including a natural river or stream, unless subsurface drainage is installed. ~~b. Whenever any open drainage ditch, drainage channel or similar drainage feature, not including a natural river or stream, is located entirely or partially on any lot or parcel to be created within a subdivision, no part of a permanent structure, including a driveway and fence, is to be located within 20 feet of such open drainage ditch, drainage channel or similar drainage feature unless subsurface drainage is installed. This provision shall apply to the lot upon which the open ditch, channel or similar drainage feature is actually located and to any adjacent lot where a structure could be placed within 20 feet of the open ditch, drainage channel or similar drainage feature that is located on the adjacent lot.~~
 - c. Whenever the provisions of subsection (b)(6)(b) of this section are applicable, the ~~department of engineering~~ Department of Engineering shall determine, based upon the data and information that is to be contained in the subdivision plan submitted, whether subsurface drainage is required. The determination is to be made based on

considerations of the size of the parcel or lot; available building site (including driveway) on the parcel or lot in relation to the location of the ~~ditch~~ open drainage ditch, channel, canal, or similar drainage feature; any restrictions on the size of the structure; and any other pertinent information or data deemed necessary by the ~~department of engineering~~ Department of Engineering to ensure that no permanent structure, including a driveway and/or fence, is to be located within ~~20 feet~~ twenty feet (20') of an open drainage ditch, ~~drainage channel, canal,~~ or similar drainage feature.

- d. A building permit shall not be issued for the construction of any permanent structure, including a driveway and/or fence, where any part of said structure would be located within ~~20 feet~~ twenty feet (20') of an open drainage ditch, ~~drainage channel, canal,~~ or similar drainage feature.
- e. When the ~~department of engineering~~ Department of Engineering determines that subsurface drainage installation is required, the provisions of [section 125-89](#) shall be applicable to the installation.
- f. Following the final plat approval of any subdivision governed by the provisions of this subsection (b)(6), any relocation of a drainage ditch, ~~drainage channel, canal,~~ or similar drainage feature shall be governed by the provisions of [section 115-3\(b\)\(11\)](#).
- g. The requirements of subsurface drainage may be modified when plans are approved by the Parish Engineer. ~~The requirements of subsurface drainage shall not be applicable with respect to roadside drainage ditches.~~

(c) Drainage right-of-way generally

- (1) The right-of-way for all drainage infrastructure and roadways in a subdivision, excluding side-yard swales, shall be dedicated to the public when the ~~drainage infrastructure in a subdivision~~ infrastructure is to be publicly maintained; and shall be dedicated to a legal entity or person when the ~~drainage infrastructure in a subdivision~~ infrastructure is to be privately maintained.
- (2) Individually maintained drainage ditches, channels, canals and/or similar drainage features that provide drainage for more than one (1) lot or parcel shall be prohibited regardless of whether the drainage infrastructure in a subdivision is to be privately or publicly maintained; Except for shared swales between individual properties that are maintained by the abutting properties.

(d). Design and location of drainage ditches, channels, canals, and similar drainage features.

- (1) All drainage ditches, channels, canals, and similar drainage features shall be located within a dedicated right-of-way and not located within an individual lot(s). Dedicated right-of-way may be located in greenspace or open space.
- (2) If direct access is not available, there shall be a dedicated right-of-way access that extends to a public or private road that is a minimum of twenty-five feet (25') wide.
- (3) A drainage ditch, channel, canal, or similar drainage feature right-of-way shall comply with the following criteria:
 - a. Provide a minimum of fifteen feet (15') wide working distance on one side of the ditch, channel, canal, or similar drainage feature and a five feet (5') wide distance on the opposite side of the ditch. Measurements for this subpart shall be taken from top of bank to boundary line of right-of-way.
 - b. The dimensions of the ditch, channel, canal, or similar drainage feature shall be determined by hydrologic calculations in accordance with criteria stated in Chapter 125-197.

c. Side slopes shall be designed at a 3:1 ratio (3 feet horizontal to 1 foot vertical). When a 3:1 design cannot be achieved, the proposed drainage ditch, channel, canal, or similar drainage feature shall be subsurfaced.

d. Drainage plans shall include cross-section(s) for each drainage ditch, channel, canal, or similar drainage feature clearly showing conformance to this subsection.

(e) Design and location of subsurface drainage.

(1) All subsurface drainage shall be located within a dedicated right-of-way and not located within an individual lot(s). Dedicated right-of-way may be located in greenspace or open space; except for subsurface drainage installed on and serving a single lot, or within a shared swale between two (2) lots.

(2) If direct access is not available, there shall be indicated on the plat a dedicated access that is not located within an individual lot, and that extends to a public or private road that is a minimum of twenty-five (25') feet wide. Dedicated access may be located in greenspace or open space.

(3) All subsurface drainage right-of-ways shall be designed in accordance with all of the following criteria:

a. Provide a minimum twenty-foot (20') wide right-of-way distance. Right-of-way shall be increased as required to allow for a minimum of five feet (5') from edge of pipe to right-of-way boundary at all locations. Additional right-of-way width may be required at the discretion of the Parish Engineer.

b. This right-of-way shall be exclusively for drainage except when necessary for crossing by other utilities.

c. The subsurface drainage shall be sized for the capacity determined by hydrologic calculations in accordance with criteria stated in Chapter 125-197.

d. Subsurface pipe construction and materials shall be constructed of concrete, bituminous-coated metal, or plastic in accordance with the latest revision of LADOTD EDSM Nos. 11.2.1.1, 11.2.1.6, and 11.2.1.13; the latest revision of LADOTD Standard Specifications for Roads and Bridges; and within standards acceptable to the Department of Engineering. All corrugated metal pipe shall be a minimum of 14 gauge and bituminous coated. All plastic pipe shall be ribbed or corrugated and double walled.

REPEAL: All Ordinances or parts of Ordinance 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 severable.

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

(Ord. No. 499, § 40-037.0, 5-21-1970; Ord. No. 549, Bk. 7, P. 234; Ord. No. 2979, 9-25-1997; Ord. No. 05-1089, 4-7-2005; Ord. No. 10-2327, 9-2-2010)

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 2ND DAY OF DECEMBER, 2021; AND BECOMES ORDINANCE COUNCIL SERIES NO. _____.

MICHAEL R. LORINO, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: _____, 2021
Published Adoption: _____, 2021
Delivered to Parish President: _____, 2021 @ _____
Returned to Council Clerk: _____, 2021 @ _____