

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4896

ORDINANCE COUNCIL SERIES NO: \_\_\_\_\_

COUNCIL SPONSOR: MR. GOULD

PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: MR. CANULETTE

SECONDED BY: MR. SMITH

ON THE 4 DAY OF OCTOBER , 2012

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES, CHAPTER 20 ROADS AND BRIDGES, ARTICLE 1, SECTION 20-010.03.01 PUBLIC & PRIVATE UTILITIES IN AND ADJACENT TO CERTAIN PARISH ROAD RIGHTS-OF-WAY, TO PROVIDE FOR THE INSTALLATION OF SUBSURFACE UTILITIES IN CONNECTION WITH THE FUTURE CONSTRUCTION OF HOLY TRINITY DRIVE.

WHEREAS, it is in the best interest of the public health, safety and welfare to require subsurface installation of all public and private utility equipment and collection and/or distribution lines within or adjacent to the parish road rights-of-way known as Holy Trinity Drive.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: Chapter 20, Article I Section 20-010.03.01 Public & Private Utilities In And Adjacent To Certain Parish Road Rights-Of-Way, is hereby amended and reenacted to include within the requirements of said section the rights-of-way and future parish road known as Holy Trinity Drive, to be constructed between Judge Tanner Boulevard and Dove Park Road, and to otherwise provide as follows:

SEC. 20-010.03.01 Public & Private Utilities In And Adjacent To Certain Parish Road Rights-Of-Way

**EDITORIAL NOTE:** New Section 20-010.03.01 created under the authority of Ordinance No. 08-1845, adopted 06/05/08.

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. Arial utility lines are expressly prohibited.

<b>Fairway Drive Extension</b>
<b>Emerald Forest Boulevard</b>
<b>Falconer Drive Extension</b>
<b>Holy Trinity Drive</b>

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: 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 1 DAY OF NOVEMBER , 2012 ; AND BECOMES ORDINANCE COUNCIL SERIES NO \_\_\_\_\_.

\_\_\_\_\_  
MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

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

\_\_\_\_\_  
PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: SEPTEMBER 27 , 2012

Published Adoption: \_\_\_\_\_, 2012

Delivered to Parish President: \_\_\_\_\_, 2012 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2012 at \_\_\_\_\_