

PARISH OF  CALCASIEU
State of Louisiana
ORDINANCE

ORDINANCE NO. 5801

AN ORDINANCE amending Chapter 22. Storm Water Drainage and Sewers, of the Code of Ordinances of the Parish of Calcasieu, Louisiana, to establish general provisions and conditions for culvert installations within Calcasieu Parish, and fees related thereto.

BE IT ORDAINED BY THE POLICE JURY OF CALCASIEU PARISH, LOUISIANA, convened in Regular Session on the 8th day of April, 2010, that it does hereby amend Chapter 22 of the Code of Ordinances of the Parish of Calcasieu, Louisiana, to establish general provisions and conditions for culvert installations within Calcasieu Parish, and fees related thereto, as follows:

SECTION I: Article VII. Culvert Installation Provisions and Conditions is hereby included, in toto, within Chapter 22 — Storm Water Drainage and Sewers, to read as follows:

ARTICLE VII. CULVERT INSTALLATION PROVISIONS AND CONDITIONS

Sec. 22-106. Culvert permit applications; fee.

- a) A Culvert Installation Permit shall be required for all new culvert installations in the Parish road right-of-way in the unincorporated areas of Calcasieu Parish.
- b) Culvert permits by the Parish shall be limited to Parish maintained roads. Culverts installed during the development of both residential and commercial subdivision shall be permitted through existing Parish development ordinances and established procedures.
- c) As part of this permit agreement the applicant is required to pay a \$100 inspection fee. The inspection of culverts shall be made before the backfill operations begin and it shall be the applicant's responsibility to call for the inspection a minimum of three days in advance. Constructed catch basins will require separate inspections for the bottom, walls, and the top prior to concrete pour. Failure to obtain a favorable inspection will result in the removal of unapproved structures by the Parish at the owners expense.
- d) Applications not paid in full within 180 days of said request shall be void and the applicants' retainer fee shall be forfeited. New applications shall be subject to any new policy changes or cost changes made by the Parish.

Sec. 22-107. Requirements.

- a) Driveways, approaches or other improvements in the road right-of-way shall at all times be subject to changes, additions, repairs or relocation when necessary to maintain the roadway or roadway drainage.
- b) Culverts installed as an exercise of this permit shall not be relocated or its dimensions altered without the written permission of the Permit Agent.
- c) Applicants are required to install the permitted culverts, themselves or by private contractor, in accordance with the specifications, standards and guidelines established by the Parish.
- d) The applicant shall be responsible for the final dressing of the limits of construction, including topsoil, seeding, fertilizing, watering, erosion protection and final grading as required or desired. Applicant shall also be responsible for grading property to insure proper drainage toward drain inlets. Often this may require the applicant to raise the elevation of his/her property.

- e) In some cases the applicants may be required as part of their Permit to reset, replace, or repair existing culverts or side drains connecting to, or adjacent to the proposed new installation due to grade adjustments, or pipe size changes and/or substandard or deteriorated existing materials to insure proper drainage. The required repair and/or replacement of driveways or other property improvements within the Parish right-of-way resulting from said improvements are the responsibility of the applicant.
- f) Unless approved otherwise by the Permit Agent, culverts and storm drains shall be constructed in accordance with the latest edition of the Louisiana Standard Specifications for Roads and Bridges, under appropriate Section for Culverts and Storm Drains and in accordance with the following minimum special provisions:
- 1)
 - a. Driveway culverts shall be a minimum of twenty-four feet of reinforced concrete pipe. Applicants may extend existing driveways with like materials, if the existing pipe is in good condition and is extendable. When hard surfacing a driveway over a culvert installation with concrete pavement, a construction joint shall be constructed at the right-of-way line.
 - b. Plastic pipe culverts for driveways may be used in lieu of concrete pipe. Plastic pipe must meet all minimum specifications as established and required by the Division of Planning and Development and the Division of Engineering and Public Works and is subject to proper installation in accordance with Parish standards. Current minimum specifications for plastic pipe are available and on file with both Parish Divisions. Plastic pipe failures shall be replaced immediately by and at the expense of the property owner. Failure to comply will be a violation of this section.
 - 2) Minimum size culverts shall be fifteen-inch diameter.
 - 3) No "used" or substandard pipe shall be installed within the Parish road right of way.
 - 4) Plastic or floatable pipe shall not be installed where the manufacturer's recommended installation guidelines cannot be met. Typically, plastic pipe shall not be installed unless a minimum of twelve-inches of backfill material can be placed and compacted on top of the pipe without impacting the roadway and shoulder drainage characteristics.
 - 5) Drainage of the roadway and the roadside ditches shall not be altered or impeded. Where the proper size culverts cannot be installed on grade and without impeding or altering said drainage, the application shall be denied. To facilitate proper roadway drainage, inlets shall be placed a minimum of three-inches below the edge of pavement nearest to the culvert installation.
 - 6) The Permit Agent may deny applicant's request to install culverts where an unreasonable hardship such as property flooding can be expected to occur as a result of the installation. To improve the installation circumstances the applicant may be allowed to place additional backfill on his/her property or make other site specific modifications designed to minimize potential damages. For all installations it shall be the responsibility of the applicant to properly grade his/her property to drain toward the drainage inlets. Cost of materials, labor, and equipment for this purpose shall be the responsibility of the applicant.
 - 7) Minimum fifteen-inch yard drains with approved grate covers shall be installed at a maximum distance of 75' apart along frontage of property.
 - 8) Minimum 24" x 24" catch basins (LADOTD CB-01) shall be provided at the junction of cross drain structures, at roadway intersections and at property lines. The Permit Agent shall layout the location of the required catch basins at the time of the application. Applicants shall complete construction of said catch basin(s) within sixty days of the pipe installation. Where applicable and available pre-made catch basins shall be installed at the same time as the culverts. Applicants shall request inspection of the catch basins at each construction phase before the concrete is placed to allow inspection of reinforcing material and form work. Catch basins shall be constructed in accordance with (LADOTD CB-01) standard plans on file at the Permit Office.

- 9) All non-uniform junctions of pipe where a catch basin is not required shall be made with an approved adapter. Butting-up of non-uniform pipes shall not be permitted. All pipe joints and connections shall be wrapped with approved filter fabric and sealed with an approved gasket or gasket material.

Sec. 22-108. Pipe specifications.

This section pertains to pipe extending beyond the required concrete (or plastic) culvert under the driveway. The Parish reserves the right to reject any material (pipe, backfill, etc) it deems unsuitable for the proposed intent. Pipe and/or pipe fittings shall meet the following specifications:

- a) Concrete pipe and accessories shall be new and meet or exceed all requirements for side drain pipe of the latest edition of the Louisiana Standard Specifications for Road and Bridges, under appropriate section for Concrete and Plastic Pipe.
- b) Plastic pipe and accessories shall be new Corrugated Polyethylene Double Walled Culvert Pipe or Polyvinyl Chloride Smooth Walled Culvert Pipe and shall meet or exceed all the requirements for side drain pipe of the latest edition of the Louisiana Standard Specification for Roads and Bridges, under appropriate section for Concrete and Plastic Pipe.
- c) Metal and Aluminum pipe and accessories shall be new and shall meet or exceed all requirements for side drain pipe of the latest edition of the Louisiana Standard Specifications for Roads and Bridges, under appropriate section for Metal Pipe. Minimum gauge thickness for metal pipe shall be 16 gauge.

Sec. 22-109. Special waiver.

Request for a special waiver to the General Provisions and Conditions must be received in writing by the Culvert Permit Agent prior to issuance of the final permit.

Sec. 22-110. Hold harmless.

- a) The applicant agrees to hold harmless the Parish and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason for the permit. The Parish as part of this permit application has made no attempt to locate or identify any utilities that maybe located within the Parish right of way within the boundaries of this permit application. It is the applicant's responsibility to take the necessary safety precautions to avoid disrupting utilities and to prevent accident or injury when working within the Parish right of way. Applicants are also required to maintain a safe work zone within the Parish right of way during construction in accordance with the latest edition of the Manual of Uniform Traffic Control Devices published by the United States Department of Transportation Federal Highway Administration.
- b) Prior to the installation of culverts, it is the responsibility of the contractor and/or owner to formulate the scope of work for the installation of culverts. All scope of work must be agreed upon by the contractor and/or owner prior to the start of work. The Police Jury will not be responsible for deviations from the scope of work agreed upon between the contractor and/or owner and from the provided Parish sketch unless the deviation does not meet the Police Jury Culvert Installation General Provisions and Conditions.

Sec. 22-111. Temporary culvert permits.

- a) *Applicability* – Temporary culverts may be allowed for new construction, farming, logging, land clearing and other similar type activities.
- b) *Permits and Fees* – Prior to the installation of a temporary culvert, application must be made, fees paid and approval received by the Division of Planning and Development. The fee for temporary culvert permits shall be fifty dollars (\$50) for each culvert.
- c) *Standards* – Temporary culverts must be constructed of a minimum 16 gauge metal pipe. The size of the pipe must be equal or greater than the size required for permanent culverts.
- d) *Timeframe/Removal* –

- 1) *Farming, Logging, Land-clearing and other similar type activities:* Temporary culverts may be allowed up to 120 days for farming, logging, land clearing and/or other similar type activities. The Director of Planning and Development or designee may grant a one-time extension not to exceed 120 days. Any extension given beyond the mentioned timeframe must be approved by the Police Jury. Upon completion of the activity, the temporary culvert must be removed and replaced by a Parish approved and permitted permanent culvert or if not needed, the ditch must be replaced back to the original condition.
 - 2) *New Construction:* Temporary culverts may be allowed through the completion of the new construction. Once the construction is completed the temporary culvert must be removed and replaced with a Parish approved and permitted permanent culvert prior to the issuance of a Certificate of Occupancy.
- (e) *Violations/Penalties* – Failure to comply with this section will be considered a violation and may result in the issuance of civil penalties up to \$500.00 per occurrence.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon adoption.

BE IT FURTHER ORDAINED that any ordinance or parts of any ordinance in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that anyone violating the provisions of this ordinance, upon conviction, shall be fined as provided in Section I-9 of the Code of Ordinances.

BE IT FURTHER AND FINALLY ORDAINED that the provisions of this ordinance shall be included and incorporated in the Code of Ordinances as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

This ordinance was adopted on the 8th day of April, 2010.

/s/ Kevin Guidry
Kevin Guidry, President

/s/ Kathy P. Smith
Kathy P. Smith, Parish Secretary

STATE OF LOUISIANA
PARISH OF CALCASIEU

I HEREBY CERTIFY that the foregoing is a true and correct copy of the original ordinance as adopted by the Calcasieu Parish Police Jury in regular session convened on the 8th day of April, 2010.

IN TESTIMONY WHEREOF, witness my official signature and the seal of the Parish of Calcasieu, Louisiana, on this the 12th day of April, 2010.

Kathy P. Smith
Kathy P. Smith, Parish Secretary