

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 38, ENTITLED  
“SUBDIVISION” OF THE CODE OF ORDINANCES,  
LINCOLN PARISH, LOUISIANA.**

**ARTICLE I. IN GENERAL**

**Sec. 38-1. Jurisdiction, compliance and approval required.**

- (a) This chapter shall govern all subdivision of land within the jurisdiction of the police jury.
- (b) Any owner of land within the limits of jurisdiction of the police jury wishing to subdivide land shall submit to the police jury or its authorized representative a preliminary plat of the subdivision, in duplicate which shall conform to the minimum requirements set forth in Article II of this chapter.
- (c) Before land and/or site improvements shall be started, complete construction plans and specifications shall be approved by the police jury or its authorized representative.
- (d) After the fulfillment of either section 38-111(a) or section 38-111(b) of this Code, the owner may submit a final plat (see Article III, Division 3) to the police jury for approval. Final plat must be approved before the sale or exchange of any lots.
- (e) No plat of a subdivision lying within such territory or part thereof shall be filed or recorded in the office of the clerk and recorder of the parish, and no subdivider may proceed with improvement or sale of lots in a subdivision until such subdivision plat shall have been approved by the police jury and such approval entered in writing on the plat by the authorized representative of the police jury.
- (f) This chapter applies to new subdivisions and roadways submitted for approval after the date of adoption of this Ordinance.  
(Code 1979, § 13-1; Ord. No. 170-97-(5), § I, 8-26-97)

**Sec. 38-2. Definitions.**

(a) The term "subdivision," as used in this article, shall mean the division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll into two (2) or more parcels, sites, or lots, any one of which is less than five (5) acres, for the purpose, whether immediate or future, of transfer of ownership. Such term also includes the re-subdivision or rearrangement of one or more lots, plots, parcels, or building sites. Such term includes subdivided lots larger than five (5) acres if an easement of access is required.

(b) The term "subdivision" shall not include:

(1) The division or partition of land into parcels of more than five (5) acres, not involving any new streets or easements of access.

(2) The sale or exchange of parcels between adjoining lot owners, where such sale or exchange of parcels does not create additional building sites.

(3) The sale or transfer of tracts of land to immediate family members unless this transfer requires an easement of access. Immediate family members include: spouse, parents, spouse's parents, brothers and sisters, and direct descendants such as children, grandchildren, great grandchildren.

(c) A mobile home park shall be defined as land subdivided for the purpose of housing movable or portable detached residential dwelling units designed for transportation after fabrication on streets or highways on its own wheels or a flatbed or other trailer, and arriving at the site where it is to be occupied as a dwelling, complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, and connections to utilities, and is intended for year-round living.

(d) A recreational vehicle (RV) park shall be defined as any park, trailer park, trailer court, court, camp site, lot, parcel or tract of land designed, maintained or intended for the purpose of supplying a location or accommodations for any recreational vehicles or trailer coaches, or upon which any recreational vehicles or trailer coaches are parked and is intended for intermittent recreational use. It shall include all buildings used or intended for use as part of the equipment thereof, whether a charge is made for the use of the trailer park and its facilities or not.

(Code 1979, § 13-2; Ord. No. 170-97-(5), § I, 8-26-97; Ord. No. 290-07-(2), § 1, 7-10-2007)

**Sec. 38-3. Compliance required.**

No subdivision street will be accepted until and unless this chapter is Complied with.  
(Code 1979, § 13-3; Ord. No. 170-97-(5), § I, 8-26-97)

**Sec. 38-4. Effective date.**

This ordinance shall take effect and be in force thirty (30) days after its adoption.  
(Code 1979, § 13-4; Ord. No. 170-97-(5), § I, 8-26-97)

**Sec. 38-5. Act of dedication.**

(a) The owner and subdivider shall prepare an act of dedication to the effect that the streets and rights-of-way are dedicated solely for the construction and maintenance of a public road, street, and/or easement and is a conveyance of servitude across lands described and not a conveyance of the fee title thereto, and the grantors especially do not transfer any right to oil, gas and other minerals lying beneath the area subjected to said servitude for the right-of-way purposes and for use of the public.

(b) All tracts, parcels, sites, or lots shall be provided with access to public rights-of-way. All tracts, parcels, sites, or lots, that front on a parish road or easement dedicated to the public shall have a minimum right-of-way of sixty (60) feet plus ten (10) feet utility easement for the full distance of the tract, parcel, site, or lot adjoining said right-of-way line. Where parcels, sites, tracts, or lots are created such that they front on only one side of a publicly maintained road, the property being developed shall provide for the creation of a minimum of one-half (1/2) of the right-of-way recommended by the Parish Administrator or their designee, as measured from the centerline of the existing road right-of-way. If all tracts, parcels, sites, or lots parallel an existing parish road and five (5) lots or less are created the Parish Administrator or their designee may approve the subdivision administratively.

(Code 1979, § 13-5; Ord. No. 170-97-(5), § I, 8-26-97)

**Sec. 38-6. Development or construction of mobile home parks, RV parks and multi-family dwellings.**

(a) No mobile home park, RV park, or multi-family dwelling may be developed or constructed in Lincoln Parish, Louisiana, until the mobile home park, RV park, or multi-family dwelling owner or developer secures approval from the local health authority of the method of sewage treatment and disposal and the public water supply servicing said mobile home park, RV park or multi-family dwelling. All such sewage treatment and disposal systems and public water supply systems shall be in

compliance with the standards, rules and regulations of the state health department.

(b) A mobile home park shall be defined as land subdivided for the purpose of housing movable or portable detached residential dwelling units designed for transportation after fabrication on streets or highways on its own wheels or a flatbed or other trailer, and arriving at the site where it is to be occupied as a dwelling, complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, and connections to utilities, and is intended for year-round living. A travel trailer or recreational vehicle designed to be used as a temporary dwelling for travel and/or recreation is not to be considered as a mobile home.

(c) A recreational vehicle (RV) park shall be defined as any park, trailer park, trailer court, court, camp site, lot, parcel, or tract of land designed, maintained or intended for the purpose of supplying a location or accommodations for any recreational vehicles or trailer coaches, or upon which any recreational vehicles or trailer coaches are parked and is intended for intermittent recreational use. It shall include all buildings used or intended for use as part of the equipment thereof, whether a charge is made for the use of the trailer park and its facilities or not.

(d) Mobile home parks and RV parks shall be constructed in accordance with the following minimum standards:

- (1) Individual mobile home or trailer sites may be leased or rented but not subdivided for sale. Any mobile home park or RV park in which lots or parcels are to be sold are considered to be subdivisions and must comply with those provisions of this code relating to subdivisions.
- (2) Maximum density shall be eight (8) mobile home sites per acre.
- (3) Minimum lot size shall be fifty-foot (50') front by one-hundred (100') foot depth. Lot width is to be measured at the building setback line.
- (4) Each mobile home or RV park site shall be provided with a sanitary sewer connection and each mobile home or RV park shall be provided with a collection and treatment system and public water supply in compliance with the standards, rules, and regulations of the state health department.
- (5) Each mobile home park or RV park developer or owner shall provide a refuse container site in accordance with the refuse container agreement as provided by the Lincoln Parish Police Jury. The parish solid waste collection

superintendent shall determine the size and number of rural refuse containers to be placed at each mobile home park or RV park.

(e) Prior to commencing the construction of a mobile home or RV park, the owner or developer thereof, shall submit a preliminary plat of the proposed mobile home park or RV park prepared by a registered engineer or land surveyor in the State of Louisiana showing the names, location, widths, and other dimensions of proposed streets, alleys, easements, rural refuse container easements, parks, other open spaces, reservations, lot lines, and building lines for the proposed mobile home or RV park.

(f) Upon receipt of the preliminary plat, the Police Jury or its authorized representative shall, if it deems necessary, transmit said plat to any interested parish department or agency; including but not limited to law enforcement, fire officials, emergency responders, GIS, Communications District, or other such agencies or officials for review and recommendations in relation to specific service problems. The approval of the preliminary plat shall not be deemed final acceptance but rather an expression of approval of the layout as submitted on the preliminary plat.

(g) No mobile home or RV park may be occupied until such time as a final plat has been approved by the Lincoln Parish Police Jury, which final plat shall include the information required by paragraph (c) above which also incorporates any additional information or alterations to the preliminary plat which might have been required by the Police Jury, and a statement that the owner dedicates the streets, rights- of-way, utility easements, and any sites for public use.

(h) Multi-family dwellings, including, but not limited to apartments, duplexes and group homes shall be provided with a collection and treatment system and public water supply in compliance with the standards, rules, and regulations of the State Health Department, even though said standards, rules and regulations may have been temporarily suspended by the Governor.

(i) Mobile home or RV parks shall be provided with a wastewater collection and treatment system and public water supply in compliance with the standards, rules, and regulations of the State Health Department, even though said standards, rules and regulations may have been temporarily suspended by the Governor.

(j) In the event the parish solid waste collection superintendent deems it necessary and appropriate, a mobile home park, RV park or multi-family dwelling developer or owner shall provide a refuse container site in accordance with the refuse

container agreement as provided by the Lincoln Parish Police Jury. The size and number of such rural refuse containers shall be determined by the Parish Administrator or their designee.

(Code 1979, § 13-6; Ord. No. 170-97-(5), § I, 8-26-97; Ord. No. 272-05-(2), 9-13-2005)

**Secs. 38-7 - 38-32. Reserved.**

## **ARTICLE II. GENERAL REQUIREMENTS AND MINIMUM DESIGN STANDARDS**

**Sec. 38-33. Erosion control.** The developer will be required by the parish to provide an SWPPP (storm water pollution prevention plan) for all developments over one (1) acre in size, and deliver monthly inspection/corrective action reports to the Parish each month until the project is accepted as final by the parish. All developments five (5) acres and larger will be required by the parish to send a N.O.I. to LaDEQ. Confirmations shall be delivered to the police jury. All erosion control features shall be installed and approved by the Parish prior to initiation of construction. All silt fences used for erosion control shall be wire-backed and shall be secured with metal posts and anchors. If at any time during construction or prior to final acceptance the Parish determines that erosion control features require repairing or otherwise require mitigation all construction activity, including new home construction shall cease until corrective measures are installed by the developer and approved by the Parish.

**Sec. 38-34. Inspection during construction.** Qualified inspection as approved by the Parish shall be provided by the developer for all infrastructure installed or constructed within the parish right-of-way. The minimum requirements for inspection are as follows:

- a) The police jury shall be given advance notice of construction activities such as placing base material or placing asphalt or surface treatment, installing pipes, constructing catch basins or other appurtenances such that the police jury has an opportunity to have its own representative on-site during those operations.
- b) Inspection and testing shall be provided on all soil cement and base course processes. Cement tickets and/or stone tickets are to be provided to the parish.
- c) Inspection and testing shall be provided on all surface course processes. Asphalt tickets shall be provided for asphalt street surfaces.

Cylinder breaks per La DOTD standards shall be provided to the parish for concrete surface streets.

- d) For three-shot surfacing provide emulsion and rock tickets.
- e) Testing shall be provided for all trenches within the street right-of-way. For trenching crossing streets provide a minimum of one (1) compaction test per lift.
- f) If at any time during the development or construction of any proposed subdivision or development the police jury determines it to be necessary to provide follow-up inspection on any portion of the work due to faulty or incorrect construction of required element(s) of the subdivision or development, the police jury reserves the right to employ the services of third-party (3<sup>rd</sup> party) inspection services to insure the completion of said proposed subdivision or development in accordance with the provisions of this chapter. The developer shall pay all costs associated with said 3<sup>rd</sup> party inspection, which services and the associated costs shall be in addition to any required inspection and reporting detailed in this or other sections of this chapter.

**Sec. 38-35. Warranty.**

- (a) The developer of the subdivision shall provide maintenance of the street and right-of-way for a one (1) year warranty period from the date the parish fully approves and accepts the final plat of subdivision, or until the development is built out to fifty (50%) percent, whichever is longer. Within the last month of the warranty period the developer is responsible for planning a site visit with the parish to develop a punch list of deficiencies to the street and/or right-of-way. The developer is solely responsible for organizing the meeting. After the punch list is completed and approved by the parish the parish will take over operation and maintenance of the street and right-of-way. During the warranty period the streets and rights-of-way are public but maintained by the developer. If the punch list items/deficiencies are not corrected within ninety (90) days, the parish reserves the right to correct any remaining items and invoice the developer.
- (b) Any repairs discovered during the warranty period and determined to be necessary by the Parish Administrator or their designee shall be submitted to the Parish for approval of the means and method of repair. Any areas or items repaired shall be subject to an additional one-year warranty period.

**Sec. 38-36. Streets.**

- a) The objective of this section is to establish the criteria whereby the builder or owner of a new road may have the new road accepted into the Lincoln Parish road system. All public roads must meet the minimum design standards required in this ordinance.
- b) For the purpose of this ordinance, from henceforth a new public road shall mean any road dedicated to the public, for usage by the general public, which has been accepted for maintenance by the Lincoln Parish Police Jury and made a part of the Lincoln Parish road system. The Police Jury shall not have authority to perform public maintenance on any road outside of municipal corporate boundaries without acceptance of the road into the Lincoln Parish road system.
- c) No public road will be accepted until and unless all provisions of this ordinance are complied with.
- d) Relation to adjoining street system. Proposed new street rights-of-way shall extend existing street rights-of-way or their projections at the same or greater width, but in no case less than the minimum required width of sixty (60) feet, measured from lot line to lot line, plus ten (10) feet utility easement on each side. The Police Jury may require additional right-of-way if, in the opinion of the Parish Administrator or their designee, said additional right-of-way is necessary to comply with other sections of this ordinance.
- (e) Street widths. The minimum width of proposed streets shall be as designated in this ordinance unless variations are deemed necessary by the Parish Administrator or their designee for reasons of topography or design.
- (f) Street Intersections. Street intersections shall be constructed to intersect as nearly as possible at right angles (90 degrees). No street shall intersect another street at an acute angle of less than seventy- five (75°) degrees unless prior approval is granted by the Parish Administrator or their designee. The conditions for such prior approval may involve a requirement that property lines be rounded or set back to permit the construction of a desirable radius. Submissions of a grading plan showing existing and proposed contours at one-foot intervals and a detailed design for the intersection may be required by the Police Jury. Intersections of more than two (2) roads shall not be allowed (providing for a maximum of a four-way intersections). Roads shall remain in the angle of intersection for at least one hundred-fifty (150') feet beyond the point of intersection.



(g) Dead-end streets. Streets designed to have one end permanently closed (cul-de-sac) shall be provided at the closed end with a turnaround with a minimum right-of-way radius of fifty (50') feet, plus ten (10') feet utility easement, and a maximum driving surface radius of thirty-five (35') feet. If a dead-end street exceeds two-thousand (2,000') feet in length an intermediate turn-around meeting the dimensions of a cul-de-sac shall be provided.

(h) Street or road names. The following conditions and guidelines shall be adhered to in naming roads or streets in the parish:

(1) All parish street or road names in the parish are the responsibility of the Lincoln Parish GIS.

(2) Names of proposed streets shall not duplicate existing road names irrespective of the suffix used. Road names shall be assigned by the Lincoln Parish GIS Office prior to final acceptance. It is the responsibility of the builder of the new road to obtain GIS approval of the road name.

(3) After adoption of a street name it may not be changed.

(4) Complete street names shall be no greater than fifteen (15) spaces to accommodate placement on street signs.

(5) Private drives that are at least one-quarter mile long or longer or have more than two residences facing the private drive shall be named.

(6) State and federal highways shall, in all areas outside of municipalities, use their numbers in lieu of names.

(7) Private drives that are named shall have a street/road sign conforming to the specifications of the police jury.

(8) The naming of private drives shall in no way be construed to be an acceptance of private drives into the parish road system. The maintenance and general upkeep of private drives is the responsibility of the owners of such drives. The naming of a private drive does not guarantee nor suggest that emergency vehicles will be able to negotiate these private drives. The police jury assumes no liability for these private drives.

(9) Deviations from standard Lincoln Parish signposts shall be approved by the Parish Administrator or their designee. Posts shall be

provided and maintained by the subdivision developer, the landowner and/or the HOA at their expense.

- (i) Posting designated street or road addresses. The owner or occupant or person in charge of any house or building to which a number has been assigned will be notified in writing by the Lincoln Parish GIS as to their assigned property number. Property numbers shall be displayed within sixty (60) days of written notification of passage of this section. It shall be the duty of such owner or occupant or person in charge thereof upon affixing a new number to remove any different number which might be mistaken for or confused with, the number assigned to such street/road. Each resident of Lincoln Parish shall, upon notification, display structure numbers in the following manner:
- (1) House numbers shall be at least four (4) inches in height.
  - (2) House numbers shall be set on a background of contrasting color.
  - (3) When a house is such a distance from the road that house numbers cannot be seen or read, or when view of the house is blocked by trees or shrubs, the house numbers shall be on a sign attached to a post, tree, fence or gate beside the driveway readable from both directions.
  - (4) On a corner lot, the house number shall be on the mailbox as well as on the house.
  - (5) In rural areas the house number shall be on the mailbox as well as on the house.
  - (6) House numbers shall be illuminated or made of a reflective material that is easily visible at night.
  - (7) House numbers shall be in plain block number rather than script.
  - (8) Apartment owners/managers and mobile home park owners/managers of single or complex units shall display lot or apartment numbers in the same manner as listed above. It shall be the responsibility of these owners/managers to notify their tenants of their correct addresses.
  - (9) Commercial store fronts having glass walls shall adhere to the size and reflective characteristics set out in this section but may have numbers painted on them.

(j) Official addresses. It shall be unlawful for any public utility providing electric, gas, water, telephone, or postal service to any property or structure located in Lincoln Parish, Louisiana, to introduce or provide such utility service to any such location or structure unless the owner, builder, developer or occupant thereof provides said public utility with satisfactory proof that he or she has obtained an official address from the GIS Coordinator. The GIS Coordinator is also authorized to seek the disruption of utility and/or postal service to any such location or structure that has not obtained and posted an official address. Before the GIS Coordinator can provide an owner, builder, developer or occupant of property or structure located in Lincoln Parish, Louisiana with an official address, said owner builder, developer or occupant of said property must demonstrate to the satisfaction of the GIS Coordinator that he or she has complied with the rules and regulations of the Federal Emergency Management Agency National Flood Insurance Program.

(Code 1979, § 13-17; Ord. No. 357, § 201, 6-23-73; Ord. No. 2-79(1), § 1, 1-9-79; Ord. No. 115-92(2), § 1, 7-14-92; Ord. No. 132-93(3), § 1, 12-14-93; Ord. No. 147-95(4), § 1, 9-26-95; Ord. No. 170-97-(5), § I, 8-26-97; Ord. No. 231-03-(1), 3-11-2003; Ord. No. 255-03-(13), § I, 12-9-2003)

### **Sec. 38-37. Public use and service areas.**

(a) Easements for utilities. Except where utility service alleys are provided with a minimum width of fifteen (15') feet for this purpose, the police jury will require easements of ten (10') feet in width for poles, wires, conduits, or where feasible for storm and sanitary sewers, gas, water or other utility lines on each side of any existing proposed public street or road right-of-way.

(b) Dedication to public use. There shall be no reserve strips except those which are conveyed to the government having jurisdiction.

(c) Easements for locating and servicing of rural refuse containers. In all subdivisions accepted by the police jury subsequent to the effective date of this ordinance, and in the event of any additional development in existing subdivisions, if determined necessary by the Parish Administrator or their designee, the developer shall provide an easement to the police jury, its successors or assigns, for the locating and servicing of rural refuse containers, which easement shall be convenient, accessible and available to the public and shall contain sufficient area as determined by the Parish Administrator or their designee so as to serve the needs of the subdivision and the servicing of said containers by the police jury, its agents and/or employees.

(Code 1979, § 13-18; Ord. No. 170-97-(5), § I, 8-26-97)

**Sec. 38-38. Mailboxes.**

- (a) No mailbox or newspaper delivery box will be allowed to exist on parish right-of-way if it interferes with the safety of the traveling public or the function, maintenance, or operation of the highway system.
- (b) Mailboxes shall be located on the right-hand side of the roadway in the direction of the delivery route except on one-way streets where they may be placed on the left-hand side.
- (c) The bottom of the box shall be set at an elevation established by the U.S. Postal Service, usually between three (3') feet six (6") inches and four (4') feet above the roadway surface.
- (d) On rural roads, the roadside face of the mailbox shall be offset from the edge of the traveled way a minimum distance of four (4') feet. On curb and gutter streets, the roadside face of the mailbox shall be set back from the face of the curb a distance between six (6") inches and twelve (12") inches.
- (e) Any mailbox that is found to violate the intent of this regulation shall be removed by the postal patron upon notification by the police jury. At the discretion of the police jury, based on an assessment of hazard to the public, the patron will be granted thirty (30) days to remove an unacceptable mailbox. After the specified removal period has expired, the unacceptable mailbox will be removed by the parish at the postal patron's expense and replaced by the postal patron to the acceptable standards set forth by the LADOTD "Louisiana Standard Specifications for Roads and Bridges" as may be amended from time to time.
- (f) Any newly constructed mailboxes shall comply with the standards for erection of mailboxes set by the LADOTD "Louisiana Standard Specifications for Roads and Bridges" as may be amended from time to time.
- (g) This section strictly forbids the construction of any obstruction (brick mailboxes, brick columns, concrete abutments, etc.) on parish road rights-of-way. (Code 1979, § 13-19; Ord. No. 170-97-(5), § I, 8-26-97)

**Secs. 38-39--38-58. Reserved.**

**ARTICLE III. PROCEDURE AND STANDARDS FOR  
PLAT APPROVAL**

DIVISION 1. GENERALLY

**Sec. 38-59. Preliminary plat approval.**

(a) Where streets or other infrastructure are planned preliminary construction specifications and drawings shall be submitted to the police jury. Construction drawings shall include, at a minimum, typical sections, plan/profile sheets, cross sections, and other items and details as may be required by the Parish Administrator or their designee. To prevent undue hardship on the subdivider through possible required plat revisions, a preliminary plat shall first be submitted to the police jury or its authorized representative in duplicate and shall give the following information:

(1) The plat shall show the proposed subdivision and any other adjacent land owned by the subdivider that may affect the design of the subdivision.

(2) The subdivision name, the names and addresses of the owners and of the designers of the plat, who shall be a registered engineer in the State of Louisiana, or registered land surveyor in the State of Louisiana.

(3) Date, declination of north point, and scale (not less than one (1") inch equals two hundred (200') feet.

(4) The location of existing and platted property lines, streets, buildings, watercourses, railroads, sewers, bridges, culverts, drainpipes, water mains, and any public utility or other easements, both on the land subdivided and on the adjoining land; the names of adjacent subdivisions and the names and addresses of record owners of adjoining parcels of unsubdivided land as they appear on the current tax records.

(5) The street layout for the entire area shown on the preliminary plat. The names, location, widths, and other dimensions of proposed streets, alleys, easements, rural refuse container easements, parks, and other open spaces, reservations, lot lines and building lines for the proposed subdivision.

(6) Statement of proposed street improvements, including contour map where terrain might affect the location of streets; and profiles of all streets showing natural and finished grades drawn to a scale of not less than one (1") inch equals one hundred (100') feet horizontal and one (1") inch equals twenty (20') feet vertical when required by the police jury.

- (7) Preliminary sketch plans or proposed utility layouts (sewer, water, gas, and electricity, etc.), showing feasible connections where possible, to existing and proposed utility systems.
- (8) All drainage structures in the subdivision. They shall be designed considering all the area shown on the preliminary plat and any other areas that have natural drainage into the subdivision, and shall be approved by the police jury or its representative.
- (9) All lots shall be numbered consecutively in a new subdivision. On re-subdivision of an existing subdivision, all lots shall be lettered. All lot lines shall show accurate dimensions in feet and hundredths, and with angles related to street and cross walkway lines. All corner lots at street intersections shall have a twenty-five (25') foot sight line distance extending in each direction from the P.I. of the projected lot lines of the subdivision.
- (10) The developer must comply with the local flood plain ordinance.
- (11) Lot width. Minimum lot width on curb and gutter streets shall be sixty (60') feet, minimum lot width for open-ditch drainage streets shall be one-hundred twenty (120') feet. Minimum lot width of seventy (70') feet will be allowed on open-ditch drainage streets provided that driveway aprons are constructed as part of the road construction process and completed prior to acceptance. Lot width shall be measured at the building setback line.

(b) Upon receipt of this preliminary plat, the police jury or its authorized representative shall, if deemed necessary, transmit said plat to any interested parish or state department or agency for review and recommendations in relation to specific service problems. The approval of the preliminary plat shall not be deemed final acceptance but rather an expression of approval of the layout as submitted on the preliminary plat; such approval shall not be noted on the preliminary plat. One (1) copy of the preliminary plat shall be retained in the files of the police jury.  
(Code 1979, § 13-31; Ord. No. 170-97-(5), § I, 8-26-97)

**Secs. 38-60--38-76. Reserved.**

## DIVISION 2. IMPROVEMENTS

**Sec. 38-77. Roadway Classifications.**

Roadways shall be classified as Local Road 1; Local Road 2; or Arterial/collector.

**Sec. 38-78. Required.**

The improvements listed hereinafter in this division shall be designed and constructed under the supervision of a competent, licensed civil engineer, currently registered in the State of Louisiana, and shall be installed prior to approval of the final plans which shall be submitted on eleven-inch by seventeen-inch sheets and marked clearly as "FINAL, 'AS-BUILT' PLANS", and the same shall bear a certification signed by the design/construction engineer stating that the said improvements have been designed and constructed in accordance to Chapter 38, Subdivisions, of the Code of Ordinances, of Lincoln Parish, Louisiana, and other referenced requirements and standards. Two (2) full sets of said plan shall be furnished to the Clerk of Court of the Parish of Lincoln, Louisiana, and two (2) full sets shall be furnished for the files of the police jury. It is further provided that, in lieu of the completed installation of these improvements a bond may be accepted as provided in section 13-111(b) of this Code. (Code 1979, § 13-41; Ord. of 170-97-(5), § I, 8-26-97)

**Sec. 38-79. Street improvements.**

(a) Hard-surfaced streets. All streets shall be hard-surfaced and conforming to the following:

(1) Subgrade: The subgrade shall be free of sod, vegetation, other organic matter or objectionable materials. The subgrade shall be properly shaped and compacted to 95% minimum density in accordance with AASHO Test Designation T-99.

(2) Base course. All streets have a minimum of eight (8") inches for Local Road 1, ten (10") inches for Local Road 2 and Arterial/collector and shall be Class II base course which can be cement stabilized or stone based per LADOTD "Standard Specifications for Roads and Bridges", latest edition. All base courses shall be a minimum of six (6") inches wider, each side, than the surface course. An iron-ore base can be approved by the Parish Administrator or their designee. Means and method, materials and standards must be consistent with standard practices of the Police Jury as approved by the Parish Administrator or their designee.

(3) Surfacing. Acceptable surface courses, which include asphaltic concrete mixtures, asphaltic surface treatment (acceptable for use on Local 1 only) and portland cement concrete shall conform with specifications as given in the

LADOTD “Louisiana Standard Specifications for Roads and Bridges”, latest edition. Streets with surfaces other than the acceptable surface courses given above will not be accepted.

Bituminous plant mix surfaces shall have a minimum thickness of two (2”) inches for Local 1, three (3”) for Local 2 and arterial/collector roads. Bituminous plant mix surfaces shall be placed in maximum 2-1/2” lifts. Portland cement concrete shall have a minimum thickness of seven (7”) inches. Asphaltic surface treatment shall be the three-shot application.

For open ditch construction, the surface course shall be a minimum of twenty-two (22’) feet wide. For curb and gutter roads, the width shall be not less than twenty-seven (27’) feet measured from back-of-curb to back-of-curb. Both barrier and mountable curbs shall be allowed with their dimensions and specifications requiring prior approval of the Parish Administrator or their designee.

All surface courses shall be crowned in a “roof-top” fashion except in any horizontal curve that requires super elevation. Horizontal curves are to be superelevated per applicable DOTD standard using  $E_{max} = 4\%$  for Local Roads 1 and 2, and  $E_{max} = 6\%$  for arterial/collector roads. Design speed shall be 30 mph or otherwise as designated by the Parish Administrator or their designee. Surface course cross-slopes shall be 0.025 feet per foot of width. Shoulders shall be at least four (4) feet wide and shall continue the cross-slope at 0.05 feet per foot of width.

(4) Design speeds for Arterial/collector roads shall be determined on a case-by-case basis. Local Roads 1 and 2 shall be designed as 30 mph design speed. Horizontal curves are to be superelevated per applicable DOTD standard using  $E_{max} = 4\%$  for Local Roads 1 and 2, and  $E_{max} = 6\%$  for Arterial/collector Roads.

(5) Vertical alignment shall be no more than three (3%) percent within one hundred and fifty (150’) feet of a road intersection. Maximum vertical grade shall not exceed seven (7%) percent unless approval is granted by the Police Jury.

(6) Horizontal Alignment: The minimum radius of centerline curvature shall be three hundred (300’) feet. The minimum radius of intersection road surface returns shall be thirty-five (35’) feet.



(7) Clearing and Grubbing: The entire public use and service areas shall be cleared and grubbed as specified in Part 2, Section 201 of the LADOTD “Standard Specifications for Roads and Bridges”, latest edition.

(8) Striping. All arterial/collector streets shall be striped by marking the centerline thereof with an intermittent yellow line and no passing zones marked with a solid yellow line, the specifications for which shall be approved by the Parish Administrator or their designee.

(Code 1979, § 13-42; Ord. No. 170-97-(5), § I, 8-26-97; Ord. No. 182-98-(2), § 2, 8-25-98)

### **Sec. 38-80. Sewers.**

(a) If the subdivision is located where a public sanitary sewer is accessible, the subdivider shall connect with such sanitary sewer and provide adequate sewer lines accessible to each lot. Sewer connections and subdivision sewer systems shall comply with the regulations of the State Board of Health, and shall be constructed under the supervision of and approved by the parish health officer and the authorized representative of the parish. No sewer effluent from any treatment facility will be discharged onto road right-of-way.

(b) If no sanitary sewer service is accessible, sewage disposal facilities shall be approved by and constructed under the supervision of the parish health unit. The plat shall carry the notation that such means of sewage disposal shall be constructed according to the specifications of, and under the supervision of the parish health unit. The plat shall carry the notation that provisions 38-80(a), (b), (c), and (d) are to be adhered to.

(c) If mechanical sewer plants are used, the discharge from such plants will not be allowed on road right-of-way.

(d) Under no circumstances should sewer discharge lines of any type or field lines be allowed on road right of way or be allowed to discharge onto road right of way or any ditch located on any such road right- of-way.

(e) Ownership, maintenance, environmental certifications, testing, and any other duties related to sanitary waste collection, treatment and disposal shall be the responsibility of the developer/HOA. Specific notation to this effect shall be shown on the plat of subdivision.

(f) The Plat of Subdivision shall carry the notation that the subdivision is in compliance with all provisions of this section.

(Code 1979, § 13-43; Ord. No. 170-97-(5), § I, 8-26-97)

**Sec. 38-81. Water supply.**

If the subdivision is located where a public water supply is accessible, the subdivider shall connect with water supply approved by the parish health unit and the authorized representative of the parish and make it available for each lot within the subdivided area. The Plat of Subdivision shall carry the notation that the subdivision is in compliance with all provisions of this section.

(Code 1979, § 13-44; Ord. No. 170-97-(5), § I, 8-26-97)

**Sec. 38-82. Drainage.**

(a) The design and construction of all drainage facilities shall be done by a licensed civil engineer registered in the state of Louisiana based upon the best available rainfall records with a minimum return period of (10) years.

(b) Open ditch Construction: Roadside ditches shall have at least 4:1 fore slopes (side slopes on road side having at least four (4') feet of horizontal distance for not more than one (1') foot vertical drop). Roadside ditches shall have at least 4:1 back slopes (property side). Distance between ditch lines on all roads shall be not less than thirty-four (34) feet. A minimum grade along the bottom of the roadside ditch shall be 1.50 percent. Ditch grades exceeding five (5%) percent shall require concrete bottoms, minimum four (4') feet wide and four (4") thick in accordance with LADOTD "Louisiana Standard Specifications for Roads and Bridges", latest edition.

(c) Cross pipes under roads and driveways shall be reinforced concrete, asphalt-coated corrugated metal, or corrugated polyethylene culvert pipe (double wall) (CPECP) conforming to AASHTO M294 type S. Pipes shall meet the specifications as found in the latest edition of LADOTD "Louisiana Standard Specifications for Roads and Bridges". No pipe diameter of less than fifteen (15") inches may be installed within any right-of-way without prior approval of the Parish Administrator or their designee. All driveway culverts shall extend beyond the driveway pavement edge a minimum of eight (8') feet.

(d) All bridges shall be a minimum of twenty-eight (28') feet wide, measured guard rail to guard rail, and shall meet the specifications of LADOTD "Louisiana Standard Specifications for Roads and Bridges", latest edition, for concrete decking

with pre-cast concrete piling.

(e) The plat or subdivision deed restrictions shall carry the notation or provision that the size and grade of culverts for driveways and other pipes in roadside ditches shall be approved by an authorized representative of the police jury. The plat shall also identify and list specific elevations for each driveway culvert, cross drain, peaks and valleys in ditch lines or other drainage features such that all storm water will be carried from the subdivision in accordance with the drainage plan. Elevations shall be monumented with a minimum of two (2) permanent benchmarks located and marked with coordinates and elevations shown on the final plat.

(f) Any ditches designed and built as open-ditch construction shall not be filled in without permission of the Police Jury by permit. For any ditches to be filled in, design plans shall be prepared and stamped by a civil engineer registered in the state of Louisiana prior to issuance of a permit. (Code 1979, § 13-45; Ord. No. 170-97-(5), § I, 8-26-97)

**Sec. 38-83. Traffic signs.**

Traffic signs are to be furnished and installed by the developer before the subdivision is approved by the police jury or Parish Administrator or their designee, or opened to the public. All acceptable and required devices shall conform to the Louisiana Standard Specifications for Roads and Bridges, Part VIII, Section 729, 2016 or latest edition, and in accordance with the Louisiana Manual on Uniform Traffic Control Devices, or as may be amended and in accordance with latest AASHTO Standards. (Code 1979, § 13-46; Ord. No. 170-97-(5), § I, 8-26-97)

**Sec. 38-84. Infrastructure.**

All utility improvements such as poles, wires, conduits, storm and sanitary sewers, gas, water or other utility lines must be placed in the utility easements.

(Code 1979, § 13-47; Ord. No. 170-97-(5), § I, 8-26-97)

**Secs. 38-85—38-109. Reserved.**

DIVISION 3. FINAL PLAT

**Sec. 38-110. Generally.**

The final plat shall be submitted to the police jury for signing on twenty-four-inch by thirty-six-inch paper, and two (2) eleven-inch by seventeen-inch copies. The signed

plat shall be returned to the developer for filing, a copy of which shall be returned to the police jury with recordation information. Unless this is done within one year of the police jury approval of the preliminary plat, such approval shall lapse. The plat shall be completed in black ink on white paper. No color variations, notations, lettering, etc. are allowed. The authorized representative of the police jury shall check the plats for compliance with the approved preliminary plat and requirements of this chapter and shall report his findings and recommendations to the police jury.

(Code 1979, § 13-53; Ord. No. 170-97-(5), § I, 8-26-97)

**Sec. 38-111. Prerequisites for approval.**

It is the intent of this chapter that the sale of building lots should be contingent upon at least a minimum of public improvements being made with the dedicated streets of the plat, as follows:

(1) Streets:

(a) Where new roads or streets are to be accepted into the Lincoln Parish road system as public streets, improvements shall be installed in compliance with all applicable provisions of this ordinance.

(b) Where new roads or streets are to remain private and therefore not eligible for acceptance into the Lincoln Parish road system, installation of an all-weather driving surface capable of conveying traffic during all weather conditions is required (minimum 6" gravel). Private roads must be a minimum of sixteen (16') feet in width, and lie within a sixty (60') foot dedicated right-of-way, with a ten (10') foot utility servitude on either side of the 60' right-of-way. Where access to more than two lots is created by the private road the full width of all right-of-ways and servitudes must be cleared, and utilities must be installed. For subdivisions where roads are to remain private and therefore not accepted for maintenance by the Lincoln Parish Police Jury a statement to that effect shall be listed on the final plat.

(c) Dead-end streets. Streets, whether public or private, designed to have one end permanently closed (cul-de-sac) shall be provided at the closed end with a turnaround with a minimum right-of-way radius of fifty feet (50'), plus a ten (10') foot utility easement, and a maximum driving surface radius of thirty-five (35') feet. If a dead-end street exceeds two-thousand (2,000') feet in length an intermediate turn-around meeting the dimensions of a cul-de-sac shall be provided.

- (2) Sufficient storm drains to adequately drain the streets; and
- (3) Electric infrastructure, potable water and sanitary sewer collection and treatment facilities. All electric infrastructure, water, sewer and/or other public utilities are required to be installed and accepted and shown on the plat prior to approval and acceptance.
- (4) Grass (ground cover) shall be established (at least 90% coverage) for any areas within the right- of-way to be dedicated to the public.
- (5) The above should be installed in a manner and to the degree acceptable to the police jury. With the foregoing in mind, the police jury will consider approval of the final plat only after receipt of:
  - (a) Certification by the Parish Administrator or their designee that all improvements have been installed in accordance with these regulations, or
  - (b) Certification by the Parish Administrator or their designee that a bond has been posted available to the parish in sufficient amount to assure the completion of the required improvements.

(Code 1979, § 13-54; Ord. No. 170-97-(5), § I, 8-26-97)

**Sec. 38-112. Contents.**

The final plat shall show the following:

- (1) Township, range and section in which the subdivision is located. If section corner, township line or range line falls within the subdivision, it shall be shown;
- (2) Primary control points, or descriptions and "ties" to such control points to which all dimensions, angles, bearings and similar data on the plat shall be referred;
- (3) Tract boundary lines, right-of-way lines of streets, easements and other right-of-way, and property lines dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves;
- (4) Names and right-of-way width of each street or other right-of-way;
- (5) Location, dimension, and purpose of any easement;

- (6) Number to identify each lot or site;
- (7) Addresses assigned by the Lincoln Parish GIS;
- (8) Purpose for which sites other than residential lots are dedicated or reserved;
- (9) Minimum building setback line on all lots and other sites;
- (10) Any areas which have been subject to flood within a period of ten (10) years prior to date of final plat or any areas shown to be in a floodplain according to the latest Lincoln Parish flood hazard boundary maps;
- (11) Location and description of monuments;
- (12) Names of record owners of adjoining unplatted land;
- (13) Reference to recorded subdivision plats of adjoining platted land by record name, date and number;
- (14) Certification by Louisiana registered land surveyor certifying to accuracy of survey and plat;
- (15) Certification of compliance by local health authority;
- (16) Statement by owner dedicating streets, right-of-way, utility easements and any sites for public uses;
- (17) Statement by owner listing all restrictions and other limiting statements required in this ordinance;
- (18) Statement by owner if new roads are to remain private and therefore not eligible for acceptance into the Lincoln Parish road system;
- (19) Title, scale, declination of north and date; and
- (20) Certificate of approval by the police jury.

(Code 1979, § 13-55; Ord. No. 170-97-(5), § I, 8-26-97; Ord. No. 224-02-(1), § I, 11-12-02)

**Sec. 38-113. Distribution of copies after approval.**

Upon approval of the plat the original drawings shall be returned to the subdivider; and one copy retained in the files of the clerk of court and two (2) copies retained in the files of the police jury. (Code 1979, § 13-56; Ord. No. 170-97-(5), § I, 8-26-97)

**Sec. 38-114. Penalties and remedies for violation of this chapter.**

(a) Penalty. Any individual, partnership, firm or corporation that violates the terms and conditions of this chapter shall, upon conviction by a court of competent jurisdiction, be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than thirty (30) days, or both, at the discretion of the court, and each violation shall be considered a separate offense. The violation of any provisions of section 38-80 Sewers, of this chapter or of those provisions of section 38-6 Development or Construction of Mobile Home Parks, RV Parks and Multi-family Dwellings, of this chapter relating to sewage collection, treatment and disposal and/or public water supplies shall be punishable by a fine of one hundred dollars (\$100.00), provided that each day a violation exists shall constitute a separate offense.

(b) Penalties for transferring lots in unapproved subdivisions. Whoever, being the owner or agent of the owner of any land located within the subdivision, transfers or sells or agrees to sell any land by reference to or exhibition of or by other use of plat of a subdivision before such plat has been approved by the police jury and filed in the office of the clerk of court shall pay a penalty of five hundred dollars (\$500.00) for each lot or parcel so transferred or sold or agreed or negotiated to be sold, and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. The police jury may enjoin such transferal or sale or agreement by suit or injunction brought in any court of competent jurisdiction or may recover the penalty by civil action in any court of competent jurisdiction.

(Code 1979, § 13-7; Ord. No. 170-97-(5), § I, 8-26-97)

**ARTICLE IV. SEVERANCE CLAUSE**

Should any portion, items, applications or sections of this ordinance be held invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions, items, applications or sections of this ordinance which can be given effect without the invalid provisions, items, applications or sections and to this end the provisions of this ordinance are hereby declared severable.