

ST. TAMMANY PARISH COUNCIL

SUBSTITUTE ORDINANCE

ORDINANCE CALENDAR NO.: 7794AA

ORDINANCE COUNCIL SERIES NO.: 25-_____

COUNCIL SPONSOR: MR. IMPASTATO

PROVIDED BY: CIVIL DA/COUNCIL OFFICE

INTRODUCED BY: MR. CORBIN

SECONDED BY: MR. LAUGHLIN

ON THE 9TH DAY OF JANUARY, 2025

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES, PART II, UNIFIED DEVELOPMENT CODE, CHAPTER 900 – INFRASTRUCTURE, SECTION 900-6 – DRAINAGE AND FLOOD PREVENTION, SEC. 900-6.3 HYDROLOGIC AND HYDRAULIC ANALYSIS AND PAVING AND DRAINAGE PLAN, SUBSECTION (G) DRAINAGE RIGHTS OF WAY, SEC. 900-6.4 RETENTION PONDS, AND SEC. 900-6.6 CONSTRUCTION REQUIREMENTS FOR CULVERTS, OPEN DITCHES, AND STORM DRAINAGE SYSTEMS, TO REQUIRE THE OWNERS OF PRIVATE DRAINAGE FEATURES AND RETENTION PONDS TO MAINTAIN FUNCTIONALITY OF SAME, AND TO PROVIDE FOR INSPECTION AND ENFORCEMENT THEREOF.

WHEREAS, it is unlawful for any development, whether publicly or privately owned, to create adverse drainage impacts on surrounding properties; and,

WHEREAS, as the Unified Development Code of the St. Tammany Parish Code of Ordinances specifies how retention ponds and ancillary drainage features shall be developed on private property to ensure, to the extent possible, that new developments do not create adverse impacts to surrounding properties; and,

WHEREAS, in order to ensure the health, safety and welfare of the residents of St. Tammany Parish and to protect the efficient and effective drainage of stormwater into and out of privately maintained drainage features and retention ponds, it is necessary to amend the Unified Development Code to provide for enhanced inspection and enforcement mechanisms to confirm that retention ponds and ancillary drainage features, including ditches, culverts, and other drainage rights-of-way, continue to function according to applicable Parish standards and/or approved drainage plans; and,

WHEREAS, these maintenance requirements shall apply to all major subdivisions maintaining ownership by one or more private owners, including a property owners or homeowners association, and to all commercial developments requiring the approval of a commercial permit and drainage plan, regardless of zoning classification; and,

WHEREAS, failure to maintain private retention drainage ponds and ancillary drainage features to such standards may result in Code Enforcement action against the owner(s) of non-compliant drainage systems.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that St. Tammany Parish Code of Ordinances, Part II, Unified Development Code, Chapter 900 – Infrastructure, Section 900-6 – Drainage and Flood Prevention, Sec. 900-6.3 – Hydrologic and Hydraulic Analysis and Paving and Drainage Plan, subsection (G) Drainage Rights of Way, be amended as follows:

SEC. 900-6.3 HYDROLOGIC AND HYDRAULIC ANALYSIS AND PAVING AND DRAINAGE PLAN.

* * *

G. Drainage Rights of Way.

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.

1. 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 25 feet wide.
2. A drainage ditch, channel, canal, or similar drainage feature right-of-way shall comply with the following criteria:
 - a. Provide a minimum of 15 foot wide working distance on one side of the ditch, channel, canal, or similar drainage feature and a 5 foot 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 herein.
 - c. Side slopes shall be designed at a 3:1 ratio (three feet horizontal to one foot vertical). When a 3:1 design cannot be achieved, the proposed drainage ditch, channel, canal, or similar drainage feature shall be subsurface.
3. Drainage plans shall include cross-section(s) for each drainage ditch, channel, canal, or similar drainage feature clearly showing conformance to this section.
 - a. *Alternate.* All subsurface drainage shall be located within a dedicated right-of-way and shall not be located within the boundaries of 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 lots.
4. If direct access is not available, there shall be indicated on the final plat and construction plan 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 25 feet wide. Dedicated access may be located in greenspace or open space.
5. All subsurface drainage rights-of-way shall be designed in accordance with all of the following criteria:
 - a. Provide a minimum 20 foot wide right-of-way distance. Right-of-way shall be increased as required to allow for a minimum of 5 feet 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 Department of Engineering.
 - 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 within this code.
6. Drainage rights-of-way that have not been dedicated to the Parish and remain in private ownership shall be subject to the following procedures:

- a. Inspection. The Department of Engineering, Department of Inspections, or Code Enforcement, or their representatives, shall be permitted to access drainage rights-of-way in private developments to determine compliance with the provisions of this Chapter.
- b. Enforcement. Violations will be processed by the Code Enforcement, Department of Engineering or permit inspections personnel using standard code violation protocol.
- c. Administration. This section shall be administered by the parish Department of Engineering with the assistance of any other parish personnel or agency that are deemed necessary by the parish and/or its regulations.

THE PARISH OF ST. TAMMANY FURTHER ORDAINS that St. Tammany Parish Code of Ordinances, Part II, Unified Development Code, Chapter 900 – Infrastructure, Section 900-6 – Drainage and Flood Prevention, Sec. 900-6.4 – Retention Ponds, be amended as follows:

SEC. 900-6.4 RETENTION PONDS.

A. Retention/Detention Ponds.

Retention/Detention Ponds shall comply with the following requirements:

1. Requirements for both wet and dry ponds:
 - a. Side slopes shall have a slopes must have a minimum 3H:1V slope.
 - b. Minimum access servitude width from pond to parish road must be twenty-five (25) feet.
 - c. Clear buffer around the periphery of pond must be twenty (20) feet; ten feet must be on a flat surface and not a pond side slope.
 - d. The applicant must furnish a copy of the title to the land.
 - e. When applicable, an "act of dedication" with a legal description of the property to be dedicated to the parish must be furnished.
 - f. Ponds being utilized for detention/retention shall have an appropriate designed and constructed overflow structure to handle storm situations exceeding the 100-year storm event. The overflow structure shall be designed to overfall to an appropriate drainage feature or servitude.
2. Requirements specific to wet ponds:
 - a. A minimum low stage depth of at least 5 feet.
3. Requirements specific to dry ponds:
 - a. Exit structure invert elevation must be 0.5 feet lower than the lowest elevation of the pond bottom.
 - b. A narrow low stage ditch shall be constructed through the pond to the exit structure invert elevation.

B. Acceptance into the Parish System.

The following procedures are hereby established for acceptance of retention/detention ponds, existing as of the date of the ordinance from which this article is derived, into the parish maintenance system:

1. The owner submits a petition requesting that the pond be taken into the Parish maintenance system. The petition must include copy of title and a survey.
2. The petition will be reviewed by the Department of Engineering and Department of Public Works to determine what is needed before the pond can be considered for acceptance.
3. The following requirements are hereby established for retention/detention ponds, constructed after the adoption of the ordinance from which this article is derived. Compliance with all standards as set forth below must be verified by Department of Engineering prior to acceptance. ~~The detention-~~
4. The petitioner will be advised of what is needed for acceptance and will be advised that acceptance by the parish is for maintenance purposes only and not for aesthetic purposes.

C. Maintenance of Privately Owned Retention/Detention Ponds in Major Subdivisions and Commercial Developments.

1. Maintenance. Retention and/or detention ponds in major subdivisions and commercial developments requiring the approval of a commercial permit and drainage plan which have not been dedicated to the parish and remain in private ownership, or owned by other public entities, shall be maintained at all times in accordance with the requirements of any approved drainage plan(s) for the private subdivision or commercial development, or in the absence thereof, the applicable standards in this chapter.
2. Inspection. The Department of Engineering, Department of Inspections, or Code Enforcement, or their representatives, shall be have the right to inspect privately owned retention/detention ponds to determine compliance with the provisions of this Chapter.
3. Enforcement. Violations will be processed by the Code Enforcement, Department of Engineering or permit inspections personnel using standard code violation protocol.
4. Administration. This section shall be administered by the parish Department of Engineering with the assistance of any other parish personnel or agency that are deemed necessary by the parish and/or its regulations.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that St. Tammany Parish Code of Ordinances, Part II, Unified Development Code, Chapter 900 – Infrastructure, Section 900-6 – Drainage and Flood Prevention, Sec. 900-6.6 – Construction Requirements for Culverts, Open Ditches, and Storm Drain Systems, be amended as follows:

SEC. 900-6.6 CONSTRUCTION REQUIREMENTS FOR CULVERTS, OPEN DITCHES, AND STORM DRAIN SYSTEMS.**A. Ditch Construction.**

1. Ditches shall be constructed by bringing the embankment or cut section to the line, grade, longitudinal slope and cross section shown on the approved plans and

as prescribed for by the approved grading and drainage plan. Material removed shall be disposed of in accordance with local, state, and federal laws.

2. Open ditches shall be lined with an erosion control system as provided for by the requirements of the Louisiana Department of Development Hydraulics Manual, 2011 Edition. Erosion control systems shall be products listed on the LaDOTD Approved Materials List at the time of their installation.

B. Culverts and Storm Drains.

The applicant shall furnish, install, and clean pipe, pipe arch, storm drains, and sewers, also referred to as culverts or conduits, in accordance with LaDOTD specifications and in conformity with the lines and grades shown on the approved plans.

1. *Excavation.* The bottom of the trench shall be excavated to a minimum width of 18 inches on each side for all pipe. Surplus material or excavated material shall be disposed of in accordance with local, state, and federal laws.
2. *Forming Pipe Bed.* A minimum of 6 inch bedding material shall be provided below all drainage pipes. Pipe shall be bedded, haunched and backfilled in accordance with the requirements of LaDOTD Standard Plan BM-01, latest edition, except that a minimum of 6" bedding material shall be provided below all culvert and storm drain pipe.
3. Pipe laying shall begin at the downstream end of the line. The pipe shall be in contact with the foundation throughout its length. Bell or groove ends of pipe and outside circumferential laps of riveted metal pipe shall be placed facing upstream. After pipe has been laid and before backfill is placed, the applicant shall inspect the pipe for alignment, grade, integrity of joints, and coating damage.
4. *Backfilling.* Prior to backfilling, pipes found to be damaged or out of alignment or grade shall be removed and reinstalled or replaced.
5. Backfill Types shall be in accordance with LaDOTD specifications.
6. Compaction shall be in accordance with LaDOTD specifications.
7. *Inspection of Pipes.* After completion of embankment and prior to roadway surfacing, the Department of Engineering shall inspect pipes for compliance with LaDOTD specifications.
8. Prior to final acceptance, pipes shall be cleaned of all debris and soil to the invert of the pipe at no direct pay. Removed soil, debris and other materials shall be disposed of in accordance with local, state and federal laws.

C. Manholes, Junction Boxes, Catch Basins, and End Treatments.

The applicant shall provide for the construction, installation, and adjustment of manholes, junction boxes, catch basins, culvert end treatments and safety ends in accordance with these specifications, and in conformity with lines and grades shown on the approved plans.

1. Manholes and catch basins shall comply with the dimensional requirements and arrangements shown on LaDOTD Standard Plans CB-01 through CB-09; alternative drainage structures may be approved upon approval of the Department of Engineering.
2. Concrete construction shall conform to the requirement of this code and the

approved plans. Joints shall be full mortar joints not more than 1/2 inchwide.

3. Outside faces of structures shall be plastered with 1/2 inch thick cement-sand mortar. Exposed surfaces of concrete and masonry shall be cured at least 48 hours.
4. Precast concrete units shall be cast with the required number and size of pipe openings required for the drainage system; however, if additional pipe is required during construction for which no openings have been provided, the applicant may make such openings provided any damaged units are replaced or satisfactorily repaired.
 - a. Precast units shall be set to established grade within $\pm 1/2$ inch. Joints for sectional precast units shall be sealed with flexible plastic gasket material listed on the LaDOTD AML installed as to form a watertight seal.
 - b. The joints of precast units shall be wrapped with geotextile fabric a minimum of 18 inches on each side of the joint. Ends of the fabric shall be lapped at least 10 inches. The edges and ends of the cloth shall be suitably secured.
5. Metal frames shall be set in a full mortar bed. Conduit sections shall be flush on the inside of structure wall and project outside sufficiently for proper connection with the next conduit section.
6. Masonry shall fit neatly and tightly around conduit. When grade adjustments of existing structures are specified, frames, covers and gratings shall be removed and walls reconstructed as required. Cleaned frames shall be reset at required elevation.
7. Metal parts shall be thoroughly cleaned and placed in good repair. In lieu of adjusting structures, the applicant may adjust structures by means of approved metal adjustment rings. New structures shall be cleaned of silt, debris or other foreign matter, and nongalvanized metal parts of new or adjusted structures shall be coated with asphaltic varnish.

D. Maintenance of Privately-Owned Culverts, Open Ditches, and Storm Drain Systems in Major Subdivisions and Commercial Developments.

1. Maintenance. Culverts, open ditches, and storm drain systems in major subdivisions and commercial developments requiring the approval of a commercial permit and drainage plan which have not been dedicated to the parish and remain in private ownership, or owned by other public entities, shall be maintained at all times in accordance with the requirements of any approved drainage plan(s) for the private subdivision or commercial development, or in the absence thereof, the applicable standards in this chapter.
2. Inspection. The Department of Engineering, Department of Inspections, or Code Enforcement, or their representatives, shall be have the right to inspect privately owned culverts, open ditches, and storm systems to determine compliance with the provisions of this Chapter.
3. Enforcement. Violations will be processed by the Code Enforcement, Department of Engineering or permit inspections personnel using standard code violation protocol.
4. Administration. This section shall be administered by the parish Department of

Engineering with the assistance of any other parish personnel or agency that are deemed necessary by the parish and/or its regulations.

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 6TH DAY OF FEBRUARY, 2025; AND BECOMES ORDINANCE COUNCIL SERIES NO. 25-
_____.

JOE IMPASTATO, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: FEBRUARY 19, 2025

Published Adoption: _____, 2025

Delivered to Parish President: _____, 2025 at _____

Returned to Council Clerk: _____, 2025 at _____