

On motion by **Councilman Rau** and seconded by **Councilman Crosby**, the following resolution was offered:

ORDINANCE NO. 4695

An ordinance amending the Gretna Code of Ordinances, Chapter 18. -Buildings and Building regulations. Article I. -In General, by adding Section 18-18. Lot grade rules and regulations.

WHEREAS, the City of Gretna has interest in the health, safety and welfare of its citizen; and

WHEREAS, the City is desirous of preventing property damage caused by storm water runoff.

The City of Gretna hereby amends the Gretna Code of Ordinances, Chapter 18. -Buildings and Building regulations. Article I. -In General, by adding Section 18-18. Lot grade rules and regulations to read as follows:

Sec. 18-18. - Lot grade rules and regulations.

A. - General.

To establish appropriate grade or elevation for lots, structures, and facilities, the following general standards shall apply:

(1) Floor elevation. No superstructure shall be erected until an acceptable floor elevation has been determined.

(2) Grade elevation. No new superstructure shall have fully met the requirements of this Code unless the site has been raised to grade with approved sanitary fill. The grading is to be extended from the established curb height and shall slope upwards toward the property line, one-half ($\frac{1}{2}$) inch for each foot of width of sidewalk area (sidewalk area means that portion of ground between the roadway and the property line of the adjacent landowner) and then beginning at the property line shall slope upwards one (1) inch in twenty (20) feet toward the rear property line or an alternate method approved by the code official. Once an acceptable lot grade has been established, it is the owner's responsibility to maintain proper grade.

(3) Runoff. The approved arrangements for handling direct run off (whether by retainer wall, approved sub-surface drainage, swale, or other approved alternative) shall be properly maintained by the property owner.

(4) Sidewalk elevation. In developed subdivisions, where the existing sidewalks are not below the centerline of the street's elevation, said sidewalks shall be maintained at their present elevation.

(5) Parking space elevation. Parking spaces shall have a minimum gradient of one-half ($\frac{1}{2}$) percent and a maximum gradient of five (5) percent.

(6) Driveway or access way elevation for existing one (1)- and two (2)-family dwellings, including townhouses, elevated as part of a home elevation project shall not be constructed with a slope greater than five (5) percent unless the BZA grants a variance.

(7) Modifications. The city's administration may enforce or modify lot grade requirements to promote the public health, safety, or welfare, including, but not limited to, prevent the breeding of mosquitoes, save significant trees, preserve the ecology, or meet accessibility requirements.

B. - Retaining walls.

In case a lot or part thereof is higher than the adjoining lot, approved arrangements shall be made to prevent water from the higher lot flowing directly onto the lower adjoining lot. If the code official determines the difference in lot elevation to be too great for a swale, a retaining wall on the rear and both side property lines shall be required. Such retaining wall shall be constructed of reinforced concrete or masonry, be a minimum of six (6) inches in thickness, and shall be constructed in such a manner as to effectively withstand the soil and water pressures exerted against it. In the case of reinforced concrete walls, the wall shall be provided with at least

one (1) continuous one-half-inch diameter steel reinforcing rod for each six (6) inches of depth. The retaining wall shall extend a minimum of two (2) inches above the highest adjacent grade (including sod), and a maximum of six (6) inches above the highest adjacent grade (including sod). The retainer wall shall extend below the lowest adjacent grade to a depth equal to the height of retaining wall.

Retaining walls that meet either of the following conditions shall be designed and stamped by a design professional:

1. Retaining walls which are more than twelve (12) inches in height above the lowest adjacent grade.
2. Retaining walls which extend below the lower adjacent grade a depth less than its height above the lower adjacent grade.

C. - Alternative to retaining walls.

As an alternative to the above required retainer walls, builders of new structures may elect to lower the brick ledge on slab construction or construct pier supported structures, to eliminate or minimize lot elevation differences.

D. - Drainage plans required.

Where a residential lot depth is two hundred (200) feet or more in depth a design professional-certified lot drainage plan shall be submitted along with the application for building permit. Such plans when approved shall be fully implemented before request for a final building inspection can be scheduled.

E. - Drainage servitude and facilities.

In the case where the rear of the lot on which the new construction is proposed adjoins a lot on which a residence or building already exists, and which lot drains to the rear and the required elevation on the lot where the new construction is proposed is higher than the existing elevation of the lot on which the residence or building exists, then:

1. A drainage servitude on the lot containing the new construction is dedicated and properly recorded to drain the lot on which the residence or building already exists; and
2. Drainage facilities are properly installed on the lot containing the new construction.

No newly constructed residence or building shall be released for occupancy and no notification of release shall be sent to the utility companies until the above described drainage servitude and drainage facility requirements have been accomplished.

This section applies only in those cases where the rear lot on which a building already exists cannot raise its grade because it would cause run-off damage to the building thereon.

The above servitude requirements shall not apply to isolated singularly-developed properties.

Certificate of use and occupancy and compliance shall not be issued until a final elevation certificate has been secured.

Provided that a majority of the City of Gretna Council have voted in favor of this ordinance, this ordinance shall have the full force and effect of law at midnight on the tenth day following the Clerk's presentment of the same to the Mayor, in accordance with Louisiana Revised Statutes 33:406(c)(2) unless the Mayor returns the same, unsigned, to the Clerk during that ten-day period.

This ordinance having been submitted to a vote, the vote thereon was as follows:

Yeas: **Councilmen Rau, Crosby, Marino, Miller and Berthelot**

Nays: None

Absent: None

ADOPTED: NOVEMBER 10, 2015

/S/ NORMA J. CRUZ
CITY CLERK
CITY OF GRETNA
STATE OF LOUISIANA

Ordinance presented to the
Mayor on November 11, 2015

/S/ NORMA J. CRUZ
CITY CLERK
CITY OF GRETNA
STATE OF LOUISIANA

APPROVED: NOVEMBER 11, 2015

/S/ BELINDA C. CONSTANT
MAYOR
CITY OF GRETNA
STATE OF LOUISIANA

Ordinance returned from the
Mayor on November 11, 2015

/S/ NORMA J. CRUZ
MAYOR
CITY OF GRETNA
STATE OF LOUISIANA

A TRUE COPY:

/S/ NORMA J. CRUZ
CITY CLERK