ORDINANCE NUMBER 2236

An ordinance to amend Chapter 19 of the Code of Ordinances by the repeal, amendment, revision, enactment, and/or re-enactment of Sections 19-2 through 19-55 regarding the regulation of development of subdivisions.

BE IT ORDAINED by the Mayor and Board of Alderman for the City of Breaux Bridge, Louisiana duly convened in regular session on the 10 day of October 2017, that:

The Code of Ordinances for the City of Breaux Bridge, Louisiana be amended by the repeal, amendment, revision, enactment, and/or re-enactment of Sections 19-2 through 19-55 as follows:

ARTICLE II - SUBDIVISION OF LAND

DIVISION I – GENERAL PROVISIONS

Sec. 19-2 – Purpose.

Subdivision is in the process through which raw land is converted into building sites. Included in the division of a lot, tract or parcel of land into two or more lots for the purpose of sale or building development for residential, commercial or industrial uses and the resubdivision of an existing lot on an existing street. The physical arrangement of these lots along with provisions for streets, parks and other community facilities will enhance the quality of life and general welfare in the community. Such regulations further establish standards that ensure the orderly growth and development of the community.

Any sale or contract of sale or agreement to purchase any lot or division of land either by lot description or by metes and bounds as defined in this subsection shall constitute a subdivision of land and require, prior to any sale or contract of sale or agreement to purchase and before the recordation of a deed, the submission of a plat to the planning commission. The term "subdivision" does not include those subdivisions of land exempt in R.S. 33:106.1.

This chapter shall not apply to:

- (a) Land in subdivisions legally recorded previously, except in the case of resubdivisions.
- (b) The subdivisions of land to be used for orchards, forestry or the raising of crops, provided the City Council certifies upon the plat that such land is to be used only for orchards, forestry or the raising of crops.
- (c) The subdivision of land that has been dedicated to recreational uses, and restricted against residential, commercial or industrial uses, by act executed by the owner of the land and filed for record in the public conveyance records of St. Martin Parish. This exception shall no longer apply, and the subdivision approval shall be necessary, in the event that the dedication is revoked to allow residential, commercial or industrial uses.

Sec. 19-3 – Authority.

These subdivision regulations and minimum standards for the development of land are adopted by the City of Breaux Bridge as authorized by Louisiana Revised Statutes 33:101-119 and as amended.

Sec. 19-4 – Jurisdiction.

These subdivisions regulations shall govern all forms of subdivisions as defined herein and shall be applicable to all of the area within the current incorporated limits of Breaux Bridge and includes any areas added to the City of Breaux Bridge in future annexations. A subdivision plat shall not be recorded in the office of the St. Martin parish Clerk of Court until proper approval has been given by the City of Breaux Bridge. No improvements in any subdivision shall be made until preliminary plat approval is granted by the City of Breaux Bridge Planning Commission and the City Council.

- (a) This chapter shall not apply to:
 - (1) Land in subdivisions previously recorded with the Clerk of Court, except in the case of resubdivisions.
 - (2) The subdivision of land to be used for agricultural purposes.
 - (3) The subdivision of land properly filed with the Clerk of Court that has been dedicated to recreational uses, and restricted against residential, commercial or industrial uses. Should this dedication be revoked, this exception shall no longer apply, and the subdivision approval shall be necessary.

Sec. 19-5 - Variances.

If the parcel of land to be subdivided is of such unusual qualities (e.g., size, shape or topography), or is surrounded by such development or unusual conditions, that the strict application of the requirements included in this Chapter would result in an undue hardship, or inequity, the Planning Commission, with the approval of the City Council, may vary or modify such requirements of design, but not of procedure or off-site improvements, so that the developer may develop his property in a reasonable manner, but at the same time protecting the public welfare and interests of the city while preserving the general intent and spirit of this chapter.

(a) Any authorized variance is required to be entered in writing in the minutes of the Planning Commission along with the reasons for granting such variance.

Sec. 19-6 – Penalty for sale or transfer of lots prior to approval and recording of plat.

Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers or sells or agrees to sell any land by reference to or exhibition of or by use of a plat of a subdivision, before such plat has received final approval as provided in this Chapter and recorded or filed in the Clerk of Courts office of St. Martin Parish, shall forfeit and pay a penalty of \$500.00 for each lot or parcel so transferred, or sold, or agreed to be sold. The other documents used in the process of selling or transferring shall be except the transaction from the penalty provided in this section.

Sec. 19-7 through 19-9. Reserved.

DIVISION II – PROCEDURE FOR PLAT APPROVAL

Sec. 19-10 – Pre-application Meeting.

Prior to the submission of the required plats for approval, it is recommended that the owner or developer of any land to be subdivided meet with the planning staff to discuss any potential problems with the proposed subdivisions and the requirements contained in the subdivision regulations of the City of Breaux Bridge. This is of particular importance for developers who are not familiar with these regulations.

Sec. 19-11 – General Requirements.

- (a) Any owner/developer of land to be subdivided shall submit eight (8) copies, and one electronic submission, of a preliminary plat of the subdivision a minimum of ten (10) working days prior to the meeting of the Planning Commission, which shall conform to the minimum requirements as set forth in these regulations.
- (b) Should the Planning Commission fail to report within sixty (60) days to the City Council, the lack of action shall be deemed approval of the plat.

- (c) No plat of a subdivision within the City of Breaux Bridge shall be filed and recorded in the St. Martin Parish Clerk of Court's office, and no subdivider may proceed with improvements or sale of lots in a subdivision, until such subdivision plat has received final approval from the City Council and such approval entered in writing on the plat by the City Council. The developer shall record the approved plat and Act of Dedication in the St. Martin Parish Clerk of Court's office and provide a certified copy of these to the City of Breaux Bridge Planning and Zoning Department. No building permits shall be issued until the City is provided the approved, recorded plat and act.
- (d) Provided that other provisions of these regulations or other law to the contrary do not prohibit such action, the Planning Director, with the concurrence of the Mayor, may grant approval and certify plats involving minor modifications of existing parcels of land. Such approval and certification shall not require submission to the Planning Commission and City Council and shall have the same effect as approval by the City Council. Modifications qualifying for such administrative approval are:
 - (1) The realignment of shifting of lot lines, including removal, addition, alignment or shifting of interior lot boundary lines, or the redesignation of lot numbers provided the application meets the following requirements.
 - (i) It will not involve the creation of a new street, or any other public improvement.
 - (ii) It will not involve more than five (5) lots of record.
 - (iii) It will not violate the City's Zoning Ordinance and otherwise meets the requirements of these subdivision regulations.
- (e) All plats approved, or certified, by an administrative procedure provided for herein shall designate such fact on the plat and the plats shall be recorded in the Clerk of Court's office of the parish. Any plat so approved shall have the same force and effect and legal status of a subdivision approval in the regular procedures outlined in these regulations.
- Sec. 19-12 Preliminary plat.

The following items must be shown on the preliminary plat with no exceptions:

- (a) The proposed name of the subdivision and the names and addresses of the owners. Plats shall be prepared and stamped by a registered professional land surveyor licensed by the State of Louisiana Board of Registration for Professional Engineers and Land Surveyors to practice in Louisiana.
- (b) The date, a north arrow, and a graphic scale.
- (c) The location of existing and platted property lines, streets, buildings, watercourses, railroads, sewers, bridges, culverts, drainpipes, water mains and any public utility servitudes, both on the land subdivided and on the adjoining land, and the names of adjacent subdivisions and the names and addresses of the owners of record of adjoining parcels of land as they appear on the current tax records.
- (d) The plat shall delineate any 100-year flood zones including flood plain and floodway boundaries that may exist within the area of the proposed subdivision. The 100-year zone shall be as shown on the latest edition FEMA Flood Maps. The flood zone elevation indicated on the FEMA Map or as calculated by the Corps of Engineers shall be shown on the subdivision plat.
- (e) The proposed plans for utility servitude layouts (sewer, water, electricity, natural gas, cable television) showing where possible proposed connections to proposed and existing utility systems.

- (f) The proposed street names and locations, widths and other dimensions of proposed streets, alleys, servitudes, parks and other open spaces, reservations, lot lines and building lines.
- (g) At the discretion of the Planning Commission or City Council, a statement of proposed street improvements may be required, including a contour map where terrain might affect the location of streets showing natural and finished grades, drawn to a scale of not less than one inch equals 100 feet horizontal and one inch equals 20 feet vertical.
- (h) The acreage of the land to be subdivided.
- (i) A vicinity map showing the location of the subdivision site.

Sec. 19-13 - Review and Approval.

Upon receipt of the preliminary plat, the Planning Director will provide copies of the plat for review to the appropriate city directors, the parish health unit, city consulting engineer, utility companies and anyone else the Planning Director deems appropriate.

Once the preliminary plat receives approval by the City Council, the developer must submit complete design documents (plans, specifications, permits, etc.), including calculations as required herein (see Article III – Design Standards and Requirements) to the City for review and approval by the City Engineer. The Developer shall address all requirements conveyed until approval is recommended by the City Engineer.

After the preliminary plat receives approval by the City Council and approval of the design documents is recommended by the City Engineer, the developer may install all required improvements, or guarantee installation of all required improvements as outlined elsewhere in the regulations.

Sec. 19-14 – Plat.

Eight (8) copies and one electronic submission shall be submitted to the Planning Commission, of which one copy shall be the original drawing and unless this is done within one calendar year of the City Council's approval of the preliminary plat, such approval shall lapse. These plats shall be submitted at least ten (10) working days prior to the meeting at which final plat approval is requested.

- (a) It is the intent of this chapter that the sale of building lots, or the issuance of building permits for the purpose of building speculative buildings of any type, should be contingent upon all public improvements being made and all these improvements should be installed to the size and quality acceptable to the City department or agency having jurisdiction.
- (b) Certification of installation of improvements, bond required or approval granted for development in phases. With the provisions of subsection (a) of this section in mind, the City Council will consider approval of the final plat only after receipt of:
 - (1) Certification by the City Council that all improvements have been installed in accord with the regulations of this chapter, and with the action of the City Council giving conditional approval of the preliminary plat; or
 - (2) Certification by the City Clerk that a bond has been posted, available to the city and in sufficient amount to ensure the completion of the required improvements; or
 - (3) Development by phases has been approved by the City Council. No phase shall receive final approval until all improvements have been installed and approved, or a bond has been posted in sufficient amount to ensure the completion of the required improvements.

- (c) Requirements:. The final plat shall be drawn on tracing cloth or paper on sheets not larger than 24 inches by 36 inches and shall be at a scale of 200 feet to one inch or larger. Where necessary the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. The final plat shall show the following:
 - (1) The township, range and section in which the subdivision is located. If a 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, servitudes and other rights-of-way, and property lines of residential lots and other sites, with accurate dimensions, bearings or deflection angles, and radii, arcs and central angles of all curves.
 - (4) The name and right-of-way width of each street or other right-of-way.
 - (5) The location, dimensions, and purpose of all servitudes.
 - (6) A number to identify each lot or site.
 - (7) The purpose for which sites, other than residential lots, are dedicated or reserved.
 - (8) The minimum building setback line on all lots and residential sites.
 - (9) Any areas which have been flooded within a period of ten years prior to the date of the final plat.
 - (10) Location and description of monuments.
 - (11) The names of record owners of adjoining unplatted land.
 - (12) Reference to recorded subdivision plats of adjoining platted land by record name, date and number.
 - (13) Certification by a surveyor or engineer certifying to the accuracy of the survey and plat.
 - (14) A statement by the owner dedicating streets, rights-of-way and any site for public uses. Statement shall include wording stating that construction of improvements on or over servitudes is prohibited.
 - (15) Title, scale, north arrow and date.
 - (16) Certification of approval by the City Council.
- (d) Disposition of copies following approval. Upon approval of the plat, the original drawings shall be returned to the subdivider, and one copy shall be retained in the files of the City Council and one copy shall be filed in the Office of the Clerk of Court for St. Martin Parish.
- (e) Effect of failure of board to take action; notice of disapproval. Failure of the City Council to approve or disapprove the final plat within sixty (60) days after receipt of the recommendation and report from the planning commission shall be deemed to be concurrence with the recommendation of the planning commission, be it for approval or disapproval of the plat. If the plat is disapproved, the grounds for

disapproval shall be stated upon the records of the City Council and a letter transmitted to the subdivider stating the reasons for such disapproval.

Sec. 19-15 through 19-19. Reserved.

ARTICLE III – DESIGN STANDARDS AND REQUIREMENTS.

Sec. 19-20 – Conformance with city plan and City standards.

All proposed subdivisions shall conform to any city plan which has been officially adopted by the planning commission, or may be adopted in the future. Whenever a tract to be subdivided embraces any part of a highway, major street, secondary street or parkway so designated on any city plan which has been officially adopted by the planning commission, such part of such proposed public way shall be platted by the subdivider in the same location and at the same width as indicated on such city plan.

All proposed improvements that are to be dedicated to the City for acceptance and perpetual maintenance shall be in accordance with the City standards in effect at the time of review or as determined to be applicable by the City Engineer.

Sec. 19-21 – Lots.

- (a) Arrangement. As far as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Except as otherwise provided each lot must front upon a public street/right of way which is not less than 50 feet in width and which is connected with the public street system. Each lot must face a public or private street built in accordance with the City Standards stated herein.
- (b) Minimum size. Within the subdivision jurisdiction limits of the city, the size and shape of residential lots shall be such as the City Council deems appropriate for the type of building development contemplated. Building plots shall have a minimum width of 50 feet at the building setback line and the minimum area required for the zoning classification that the proposed development is located in. Corner lots shall have extra width sufficient to permit establishment of a building line at least 15 feet from the side street property. The distance from the side street property line shall be measured from the street right-of-way paralleling the long dimension of the lot. Townhouses or condominiums may be built on lots having less street frontage and area, provided that the plans are approved by the city zoning commission after public hearing and that the plans comply with criteria adopted by the commission and the zoning ordinance.

Sec. 19-22 – Public use areas: Servitudes.

- (a) Reservation of land for public use. Where a park, neighborhood recreational open space, school site or other area for public use shown on a plan which has been officially adopted by the planning commission is located in whole or in part in a proposed subdivision, the board of trustees shall seek to secure the reservation of the necessary land for such use. Special consideration shall be given to schools and parks in subdivisions larger than 25 acres or 100 lots.
- (b) Utility servitudes. Servitudes for public utilities and drainage ways shall be provided in the widths and locations deemed necessary by the City. A minimum 10 foot utility servitude shall be provided on along both sides of all public road rights-of-way.

Except where alleys are provided for the purpose, the City will require servitudes sufficient for poles, wires and conduits, or where feasible for storm and sanitary sewers and gas, water or other utility lines, on each side of the common rear lot lines, and may require servitudes alongside lot lines where necessary unless the utility company certifies this to be impractical or unless it is not feasible in the opinion of the City. The servitudes shall be dedicated to the City of Breaux Bridge for its use and benefit, as well as for the benefit of such utility providers as the City of Breaux Bridge may authorize to utilize same.

Encroachments including but not limited to balconies and overhangs shall not be allowed in any servitudes that include or may include major utility equipment (i.e., transformers, fire hydrants, major valves, switching cabinets, etc.)

- (c) Dedication of right-of-way along drainage courses. Whenever any stream or improved surface drainage course is located in an area that is being subdivided, the subdivider shall dedicate an adequate right-of-way along each side of the stream for the purpose of widening, deepening, sloping, improving or protecting the stream, or for drainage maintenance. For all drainage courses having a bottom width of five feet or more, the subdivider shall dedicate a right-of-way having a width of five feet for every one foot of bottom width. For example, a25 foot right-of-way shall be dedicated for all drainage courses having a bottom width of five feet, a 50 foot right-of-way shall be dedicated for all drainage courses having a bottom width of ten feet, etc.
- (d) Dedication of reserve strips. There shall be no reserve strips except those which are conveyed to the government having jurisdiction.
- Sec. 19-23 Building restrictions and building setback lines.
 - (a) No final plat of land within the force and effect of the zoning ordinance shall be approved unless the building restrictions to be established conform with the minimum requirements of such zoning ordinance.
 - (b) Minimum building setback lines shall be provided for all lots designated as residential lots. Such building setback lines shall be not less than 20 feet unless otherwise specified in other sections of the regulations or in the zoning ordinance.
- Sec. 19-24 Comprehensive group housing developments.
 - (a) A comprehensive group housing development including the construction of two or more buildings together with the necessary drives and ways of access and which is not subdivided into the customary lots, blocks and streets may be approved by the City Council, if in the opinion of the City Council any departure from the regulations of this chapter can be made without destroying the intent of the regulations. Plans for all such developments shall be submitted to and approved by the City Council whether or not such plat is to be recorded, and not building permits shall be issued until such approval has been given.

Sec. 19-25 – Subdivisions with private gated (controlled access) streets.

Notwithstanding any contrary provisions in this chapter, a subdivision as defined herein may contain private gated street(s) not dedicated to public use or accepted for public maintenance, provided that:

- (a) The subdivision and the street improvements must conform to all requirements of this chapter, except that private gated (controlled access) streets established in compliance with this section need not be dedicated to public use; and
- (b) Prior to the recordation of a plat of survey of a subdivision with a private gated (controlled access) street, the subdivider shall cause the surveyor to clearly denote the following language on said plat:

"Private ownership of the street(s) as shown herein in hereby reserved and the city has no responsibility or liability for maintenance, use or failure of said streets, and does not warrant that said streets will be accessible or open. All use, maintenance and liability therefore shall be subject to the rules and regulations set forth in an agreement among the owners of the property fronting on said street(s). Any purchaser is placed on notice that some public services may not be available on private streets."

- (c) Prior to approval of a subdivision with a private street the owners of the property fronting on said private street must execute and file on record an agreement providing for maintenance of the private street and payment of the cost of maintenance of the private street.
- (d) Any private gated (controlled access) street established under this chapter must at all times remain open to emergency and public safety vehicles.

Sec. 19-26 – Effective date.

The preceding section shall become effective upon adoption and publication as provided by law, but shall have no retroactive application to any unfinished phase of any existing subdivision within the city.

Sec. 19-27 - Streets.

(a) Relation to adjoining system.

Proposed new streets shall extend existing streets on their projections at the same or greater width, but in no case less than the minimum required width, unless variations are deemed necessary by the City Council for reasons of topography design or otherwise specified in other sections of these regulations. Where, in the opinion of the City Council, it is desirable to provide street access to adjoining property, proposed streets shall extend to the boundary of such property. Half streets along the boundary of land proposed for subdivision will be permitted.

(b) Width.

The minimum width of proposed streets, measured from lot line to lot line, shall be shown on the major street plan, or, if not shown on such plan, not less than 80 feet for major streets and 50 feet for other streets.

(c) Intersections.

As far as practical, acute angles at a street intersection shall be avoided. Where an acute angle of less than 75 degrees occurs between streets at their intersection, the City Council may require the property lines to be rounded or otherwise set back to permit curb construction of a desirable radius without curtailing the sidewalk at the street corner to less than normal width. Submission 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 City.

(d) Entrance requirements.

Two entrances/exits must be provided for ingress and egress in all subdivisions except for gated communities.

(e) Dead-end streets.

Streets longer than 150 feet designed to have one end permanently closed shall be provided with a turnaround (cul-de-sac). The turnaround shall be adequate to accommodate all city and utility equipment. A street with a cul-de-sac shall not be more than 500 feet in length unless approved by the City Council for specific reasons of topography or design.

(1) A minimum driving surface of 38 feet shall be required in residential subdivisions to handle fire department equipment.

- (2) Upon review of subdivision plats for multi-family, commercial or industrial developments, a driving surface radius of 38 feet or greater may be required.
- (f) Names.

Proposed streets obviously in alignment with existing and named streets shall bear the names of existing streets. In no case shall the name for the proposed streets duplicate existing street names, irrespective of the suffix used. It is the developers responsibility to provide a letter of approval from the Emergency 911 Office approving the proposed street names and numbers assigned to each lot.

(g) Improvements.

Street improvements shall be required as set forth in Article IV of this chapter.

(h) Blocks.

Blocks shall not be more than 900 feet in length, unless there is provided a public crosswalk with not less than a ten-foot right-of-way. If such crosswalk is provided, blocks may not be longer than 1,500 feet.

(i) Permits.

The design engineer shall obtain, prior to submittal of design documents for review, any and all required permits for connections to state or federal highways. Any and all required environmental permits shall also be obtained prior to submittal. All permits shall be provided to the City Engineer with the submittal of the design document package. The submittal shall include a Storm Water Pollution Prevention Plan (SWPPP) for construction sites that will result in the disturbance of one acre or more, and documentation that a Notice of Intent has been filed for NPDES storm water permit coverage.

Sec. 19-28 and 19-29. Reserved.

ARTICLE IV: REQUIRED IMPROVEMENTS

GENERALLY

Sec. 19-30 – Installation of improvements, or other options, prior to approval of the final plat.

The improvements listed in this article shall be installed prior to approval of the final plat and construction permits shall not be issued until the installation is complete and accepted by the city unless the planning commission and City Council approve one of the following options:

- (a) The developer establishes an escrow account and written agreement with an independent escrow agent whereby all funds are held until completion of the required improvements and acceptance by the City of Breaux Bridge.
- (b) The developer obtains a letter of credit or a bond guaranteeing the installation of all required improvements.

Sec. 19-31 – Erosion Control and Sediment Control Plan

- (a) No person shall be granted a site development permit for land-disturbing activity that would require the uncovering of 10,000 square feet of vegetative surface cover without the approval of an Erosion and Sediment Control Plan by the City of Breaux Bridge (Ordinance #2189).
- (b) No site development permit is required for the following activities:

- (1) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
- (2) Existing nursery and agricultural operations conducted as a permitted main or accessory use.
- (c) Each application shall bear the name(s) and address(es) of the owner or developer of the site, and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm and shall be accompanied by a filing fee.
- (d) Each application shall include a statement that any land clearing, construction, or development involving the movement of earth shall be in accordance with the Erosion and Sediment Control Plan.
- (e) The applicant will be required to file with the City a faithful performance bond, letter of credit, or other improvements security in an amount deemed sufficient by the City to cover all costs of improvements, landscaping, maintenance of improvements for such period as specified by the City Planning & Zoning, and engineering and inspection costs to cover the cost of failure or repair of improvements installed on the site.
- Sec. 19-32 Monuments and Markers.
 - (a) All subdivision boundary corners, all lot corners and the four corners of all street intersections shall be marked with permanent monuments. A permanent marker shall be deemed to be a steel pipe with a minimum of ½" outside diameter which extends a minimum of two feet below the ground line. Should conditions prohibit the placing of monuments on-line, offset marking will be permitted provided that exact offset courses and distances are shown on the subdivision plat. Other monuments meeting the minimum standards of the Professional engineering and Land Surveying Board may also be used.
 - (b) For all subdivisions larger than five lots, a permanent benchmark shall be accessible placed, the elevation of which shall be on the North American Vertical Datum of 1988 (NAVD 88) as determined by the National Geodetic Survey (NGS), and accurately noted on the subdivision plat. Such permanent benchmark shall be of concrete with a minimum dimension of four inches and shall extend a minimum of two feet below the ground line.
- Sec. 19-33 Street Improvements.
 - (a) Surfacing. All streets shall be surfaced in accordance with one of the following methods except that major arterial streets shall only be surfaced according to subsection (1) of this section and streets surfaced according to subsection (2) of this section shall only be used in residential subdivisions.

Street Design

Street Pavements shall be designed in accordance with The AASHTO Guide for Design of Pavement Structures (or AASHTO's latest adopted design procedure). Base courses shall be a minimum 12" thick soil/cement processed into a soil material that will stabilize with cement in accordance with DOTD TR 432 or an approved equivalent section. Soil material used for soil/cement base course shall have a Liquid Limit less than 35 and a Plasticity Index of less than 12 or shall be treated with lime to properly condition the soil. The soil/cement base course shall be constructed on a tested, compacted and approved sub-grade. Prior to the design of the roadway section the design engineer shall have the soil tested by an approved soil testing laboratory to determine if the sub-grade is suitable for roadway construction and if the soil is suitable for stabilizing with Portland cement. The soil testing reports shall be submitted by the design engineer along with the plans and specifications to the City Engineer and approved prior to construction.

Asphaltic Concrete Pavement wearing course for street construction shall be a minimum 3" thick for residential streets and a minimum of 4" for commercial and industrial streets in thickness and shall be Superpave Asphalt Concrete (Level 1) in accordance with Section 502 of the latest edition of the Louisiana DOTD "Standards Specifications for Roads and Bridges". The streets paved with asphaltic concrete shall be cored at intervals along the completed streets not to exceed 500 linear feet with a minimum of three (3) cores in the total subdivision street system. The core samples shall be tested by an approved testing laboratory for asphalt thickness, base thickness, strength and quality and reported to the City Engineer. Additional cores may be required by the City Engineer to isolate thickness, strength, or other pavement deficiencies. All core holes shall be patched immediately after the coring operation. The cost of coring, testing and patching the core holes shall be paid by the developer or his contractor.

Portland Cement Concrete Pavement for streets shall be a minimum 6" in thickness and shall have a minimum compressive strength of 4000 psi at 28 days. Concrete for inlets, curbing and sidewalks shall also have a minimum compressive strength of 4000 psi at 28 days. Proposed joint layout showing the spacing and design of expansion and contraction joints shall be included in the construction plans. The streets paved with Portland cement concrete shall be cored at intervals along the completed streets not to exceed 500 linear feet with a minimum of three (3) cores in the total subdivision street system. The core samples shall be tested by an approved testing laboratory for thickness and compressive strength and reported to the City Engineer. Additional cores may be required by the City Engineer to isolate thickness, strength, or other pavement deficiencies. All core holes shall be patched immediately after the coring operation. The cost of coring, testing and patching the core holes shall be paid by the developer or his contractor.

Roadway Trench Backfill

When trenches are cut across existing paved streets or under the area proposed to be paved in the subdivision development, the trenches shall be backfill with fill-crete material. The fill-crete is a 2-bag concrete mix used for fill material. The adjusted batch weights for the fill-crete shall be as follows:

Portland Cement	188 Lbs.
Sand	3248 Lbs.
Water	46.2 Gal.

- Base course. Base course work is to begin only after all trenching for utilities has (a) been completed and backfilled. All trench backfill is to be compacted to 95 percent of the maximum density as determined by the Modified Proctor Test. All soil to be used for the base course shall be tested to determine its classification. If the base course is to be constructed from off-site material it shall conform to the requirements for Selected Soils. If the base course is to be constructed from existing on-site materials and its plasticity index is greater than 15, it shall be treated with the appropriate amount of lime in accordance with the state Department of Transportation and Develop (LA DOTD) standard specifications. Soils having a plasticity index greater than 35 shall not be used for the base course. After the base course material has been corrected, if necessary, it shall be brought to the required grade and section. The outer six feet of road bed shall be compacted to 95 percent of maximum density as determined by the Modified Proctor Test and the inner area shall be stabilized with ten inches of soil cement constructed in accordance with the state Department of Transportation and Development (LA DOTD) standard specifications.
- (b) Concrete curbs and gutters. After the perimeter base course work and subsurface drainage are complete but before the soil cement base course is started, the concrete curbs and gutters are to be constructed as described in the state Department of Transportation and Development (LA DOTD) specifications. If the concrete for the curbs and gutters is poured monolithically, no reinforcing will be required. If the curb is poured separately, no. 4, grade 60, deformed bars, two feet long and bent into a U shape located on two-foot centers are to be continuously placed between the base slab and the curb. The concrete gutter shall

consist of a concrete slab six inches thick and two feet, eight inches wide placed at a transverse slope of 0.08 foot per foot. The roll-over type curb shall be eight inches wide placed on the outer side of the concrete gutter. Its transverse section shall begin with a one-inch vertical rise; then a three-inch vertical to six-inch horizontal slope; then a two-inch horizontal surface; then a four-inch drop to the outside edge of the gutter slab. If a barrier-type curb is to be used, its section begins with a six-inch vertical to two-inch horizontal slope; then a six-inch horizontal surface, then a six-inch drop.

(c) Asphaltic concrete. After all base course, curb and gutter work has been completed and the prescribed curing time has elapsed, the asphaltic concrete surface is to be applied in accordance with the state Department of Transportation and Development (LA DOTD) standard specifications. Note that the asphalt is to have a thickened area along all curb and gutter concrete and along any areas that abut existing pavements. The thickened areas are to be two feet wide and eight inches thick. The transverse slope of the asphalt riding surface is to be 0.025 foot per foot. Any areas where the new asphaltic concrete is to be in contact with existing asphaltic concrete will be appropriately coated with a tack coat.

An inspector certified by LA DOTD shall be present at the asphalt batch plant or concrete batch plant whenever material is prepared for use in construction of the development infrastructure and shall certify that the material used was of the approved quality and in conformity with the specifications.

The developer's design engineer shall submit to the City Engineer, the soil test reports and recommendations for the soil/cement base course or for any other base course that he proposes to use, with the submittal of the plans and specifications.

Laboratory testing reports shall be approved by the developer's design engineer and provided to the City Engineer for his review and approval. Required reports are as follows:

- (1) Atterberg limits of the soil at the sub-grade and base course grade
- (2) lime and/or cement determination for the base course
- (3) compaction tests of road sub-grade and base course
- (4) design mix of asphaltic concrete
- (5) design mix for Portland cement concrete
- (6) coring of finished roadways
- (d) Testing. Prior to acceptance by the city, the developer shall submit copies of all testing data covering all phases of the work. Testing shall be conducted in accordance with the state Department of Transportation and Development (LA DOTD) standard specifications. Along with the test data will be a certification by a civil engineer licenses in the state verifying that all work and tests were performed in accordance with the above-described requirements.
- (e) Warranty. The developer will supply a warranty to the city guaranteeing the project to be free of defects for a period of two years after acceptance.
- (f) Grading. The full right-of-way shall be graded.
- (g) Sidewalks. Concrete sidewalks shall be provided on all streets. Sidewalks shall be a minimum of four feet wide and four inches thick. Sidewalks must be constructed prior to the acceptance of the development by the City Council.
- (h) Markers. Street markers bearing the names of the streets shall be provided and installed at each street intersection in the subdivision.
- (i) Roadway lighting.

It is in the public interest for the developer of a residential subdivision within the corporate limits of the city, who elects to provide underground service lines for

the distribution of electricity in a subdivision, to be required as a condition precedent to the approval of such subdivision by the city to make provision in the plan of such subdivision for the installation, at the developer's expense, of street lighting facilities within said subdivision. Streetlights shall be installed at locations and in accordance with specifications approved by the City Engineer and the holder of the franchise for the furnishing of electricity within the corporate limits of the City. The ownership and subsequent maintenance thereof is to be assumed by the holder of the franchise for the furnishing of electricity within the corporate limits of the City in accordance with the appropriate rate schedule in effect and on file with the Louisiana Public Service Commission.

All roadways and/or streets shall have roadway lighting. The purpose of street lighting is to promote safety and convenience for vehicular and pedestrian traffic through adequate visibility during darkness. All roadway lighting system shall be designed per the latest requirements of the Illuminating Engineering Society (IES) in conformity to the roadway classification per the IES definitions, of the roadway for which the lighting is being installed.

The local franchised utility company shall design all roadway lighting systems. Equipment used shall be manufactured specifically for streetlight application and repair parts shall be available for the projected life of the installation. Any standard equipment and any equipment other than the standard equipment used by the franchised servicing authority shall require that utility's approval prior to that utility's accepting the installation for connection to its system. The franchised utility company upon acceptance of any installation for connection to its system shall at that date forward by fully responsible, including but not necessarily limited to the proper operation, maintenance and replacement of the installation. All component parts, including but not necessarily limited to poles when replaced, shall match and be equal to the existing installation in performance, design, pattern and color. The utility company shall ensure that the degree of illumination in divided or boulevard-type streets is consistent with the degree of illumination required by this subsection for undivided streets.

In addition to all requirements of the provisions of this chapter, an effort shall be employed in the design of the roadway lighting system to locate light poles on property lines where possible, to use the highest efficiency components as practical and to use reasonable care to utilize lighting sensitive to the environment that it illuminates whenever practical and possible.

The provisions of this chapter shall not be construed to impose a duty on either the city or franchised servicing utility as to the public regardless of the activity in which the public or any member thereof is engaged.

No roadway lighting facilities shall be installed by any person, or by any utility company, within dedicated rights-of-way in any approved subdivision until and unless an application therefore has been submitted to and approved by the department of planning under the conditions and circumstances provided in this subsection.

If any person or any utility company shall install roadway lighting facilities in any subdivision in violation of the provisions of this chapter, the director of planning shall give such person or utility company, as the case may be, ten days written notice to remove the roadway lighting facilities from the dedicated rights-of-way, and upon failure of such person to remove such facilities, the director of planning is authorized to remove same without further notice. All costs of such removal shall be chargeable to the owner of such facilities or to the person installing same, as the case may be.

Sec. 19-34 – Sewage disposal system.

(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 Louisiana Department of Health requirements and shall be constructed under the supervision of and approved by the parish health unit and engineer for the city.

- (b) If no sanitary sewer is accessible, sewage disposal facilities shall be approved by and constructed under the supervision of the parish health unit. If sewage disposal is to be by septic tank or other similar individual means, the plat shall carry the notation that such individual means of sewage disposal shall be constructed according to the specifications of and under the supervision of the parish health unit.
- (c) Sanitary sewer systems shall be designed in accordance with the latest edition of the Louisiana State Sanitary Code. Sanitary sewer system improvement plans and specifications shall be approved by the City Engineer and the Louisiana Department of Health (LDH) prior to starting construction. A copy of the LDH approval letter shall be sent to the City Engineer prior to starting construction.
- (d) Lift stations where required shall comply with the latest design requirements of the City of Breaux Bridge.

Sec. 19-35 – Water supply.

The subdivider shall connect with a water supply approved by the parish health unit and the engineer for the city and make it available for each lot within the subdivided area. Fire hydrants shall also be installed by the subdivider. The location of the fire hydrants by the subdivider shall be in accordance with the requirements set forth by the Property Insurance Association of Louisiana (PAIL) rating, the St. Martin Parish Fire District and the City Engineer and in no case shall spacing be more than 500' between hydrants. Water mains for fire protection shall be a minimum size of 8" in diameter for dead end systems and 6" in diameter for looped systems. All water mains shall be in accordance with the latest revision of AWWA C900, Class 160. As these requirements differ for residential, commercial and undeveloped property, the developer of any property in the City of Breaux Bridge must have the subdivision plans reviewed by and receive the approval of the St. Martin Parish Fire District and the City Engineer.

Water systems shall be designed in accordance with the latest edition of the Louisiana State Sanitary Code. Water system improvement plans and specifications shall be approved by the City Engineer and the Louisiana Department of Health (LDH) prior to starting construction. A copy of the LDHH approval letter shall be sent to the City Engineer prior to starting construction.

Sec. 19-36 through 19-39. Reserved.

ARTICLE V – DRAINAGE

Sec. 19-40 – Drainage Plan.

The subdivision plat shall delineate any 100 year flood zone that may exist within the area of the proposed subdivision, as shown on the 100 year flood zone on the latest edition of the FEMA Flood Maps. The flood elevation indicated on the FEMA Map, or as calculated by the Corps of Engineers shall be shown on the subdivision plat. The subdivision plat shall be prepared and stamped by a registered professional land surveyor licensed by the State of Louisiana Board of Registration for Professional Engineers and Land Surveyors to practice in Louisiana.

(a) Drainage Impact Analysis Required: A drainage study shall be performed by a State of Louisiana licensed engineer to determine the drainage impact on the proposed development and surrounding affected areas. The development construction plans shall not be approved and construction shall not begin until a favorable written approval of the drainage impact by the City Engineer is given.

- (b) Drainage Design Criteria: All drainage systems shall be designed by a civil engineer licensed to practice in the State of Louisiana. Subsurface storm sewer systems for developments shall be designed for a minimum storm of five years. Storm sewers for outfall channels shall be designed for a ten-year storm (minimum). Developments with open ditch drainage systems shall be designed for a storm of five-year occurrence intervals except that cross drains for drainage channels within developments shall be designed for a ten-year storm. Drainage designs shall be in conformance with the latest edition of the State of Louisiana Department of Transportation and Development's Hydraulics Manual.
- (c) Runoff Determination Methods: For drainage areas less than 200 acres, the design engineer shall use the Rational Method (Q=ciA) procedure for determining runoff rates.

For drainage areas between 200 and 2,000 acres, the design engineer shall use the most recent Soil Conservation Service (SCS) method, as modified by the State of Louisiana Department of Transportation and Development's procedure for determining runoff rates. For drainage areas greater than 2,000 acres, the design engineer shall use the most recent USGS procedure for determining runoff rates.

- (d) Determination of Rainfall Intensity and Duration: Rainfall intensity and duration shall be taken from the latest edition of the State of Louisiana Department of Transportation and Development's Hydraulics Manual.
- (e) Runoff Coefficients: The runoff coefficients to be used in the Rational Method shall be the common runoff coefficients shown in the latest edition of the State of Louisiana Department of Transportation and Development's Hydraulics Manual.
- (f) General Engineering Design Requirements: All residential and commercial developments that results in increased storm water runoff exceeding the predevelopment runoff rate shall be required to mitigate the increases through drainage improvements. The drainage improvements shall be based on the design criteria in addition to any other stated provision. The development drainage design shall be based on the five-year storm event for residential development and a ten-year storm event for commercial developments. Storm drain outfalls and drainage channels across the development shall be designed for a ten-year storm.
- (g) Detention Requirements for Commercial and Residential Subdivisions
 - (1) Detention requirements for commercial and residential subdivision developments are as follows:
 - (i) Detention basins shall be designed with sufficient storm water storage volumes and controls to keep the storm water discharge rates from the completed development at or less than eighty-five percent (85%) of the predevelopment (i.e. reduce post development discharge to 85% of predevelopment discharge) level for developments two and a half (2.5) acres and larger. Developments less than 2.5 acres are required to retain the applicable residential or commercial design storm event and not the 25-year storm event. The applicable design storm shall be as described in the table below. Detention basins shall be designed with controlled overflows to direct storm water in excess of the basins capacity to the outfall without negatively impacting adjoining properties.

DESIGN STORM EVENT					
Туре	Design (minimum)	Event	Retention Event	Evaluated for -	
Site Drainage system and outfalls for commercial or multi-use subdivision	10-year (10%)	storm	10-year storm (10%) ¹ 25-year storm $(4%)^2$	100-year storm (1%)	

Drainage system and outfalls for residential subdivision	5-year storm (20%)	5 -year storm $(20\%)^1$	100-year Storm (1%)
		25 -year storm $(4\%)^2$	
System			
Channel/System modifications	10-year storm	25-year storm	25-year and 100-year
	(10%)	(4%)	storm (4%; 1%)
Collector street crossings	10-year storm	N/A	25-year and 100-year
	(10%)		storm (4%; 1%)
Arterial Street Crossings	25-year storm (4%)	N/A	100-year storm (1%)
Channel crossings in excess of 100	25-year storm	N/A	25-year and 100-year
square feet	(4%), if feasible		storm (4%; 1%)
Relocated Natural Drainage	100-year storm	N/A	100-year storm (1%)
Features/Channel ³	(1%)		

* Additional requirements may be specified based on the project's scope.

¹ for developments up to and including 2.50 acres ² for developments larger than 2.50 acres

 $\frac{2}{3}$ for developments larger than 2.50 acres

or as approved by City Engineer

- The volume needed to meet a retention/detention (a) requirement cannot be counted towards a volumetric analysis for fill obstruction requirements in a special flood hazard area.
- The hydraulic grade line shall be used to determine the (b) extent of flooding, depth of flooding, and efficiency of the system.
- The capacity of all existing ditches, culverts, sub-surface (c) and surface drainage structures that will be utilized by new or relocated outfall points downstream of the development to allow passage of storm water to the first outfall, coulee, canal or river shall be determined and analyzed for the development runoff. In no case shall a developer evaluate the capacity of the outfall, coulee, canal or river less than 1,000 feet downstream of the development.
- Tailwater (TW) is defined as the flow depth of the downstream (ii) channel measured from the flow line of the outlet structure or culvert. It is considered to be an important factor in outfall structure or culvert hydraulic design because a submerged outlet may cause structures or culverts to flow full, rather than partially full, impacting the hydraulic efficiency of the drainage system.
- Therefore, the hydraulic analysis of the drainage system shall (iii) address the tailwater elevation of the outfall channel/system.
- The tailwater elevation of the outfall channel/system shall be set at (iv) top bank for open channel systems and/or flowing full for subsurface drainage systems unless, through a hydraulic analysis for a 25-year design storm event, it is determined to be lower.
- All public inverts are determined by dry conditions. (2)
- The cleansing velocity of 3 ft/sec is the desired velocity and must be met (3) within a drainage system. It is understood that the beginning of the system may not achieve this velocity due to the 15" culvert minimum requirement, but shall be achieved within the first 3 structures of the system.
- Developments for which a subsurface drainage system has hydraulically (4) proven to be impractical will utilize an open ditch drainage design such that:

- (i) Maximum depth of ditches is limited to thirty inches (30").
- (ii) Minimum ditch grade along streets is 0.20%, and those ditch grades which directly advance erosion of the ditch or adjacent properties are strictly prohibited.
- (iii) Design is based on culvert flow when culverts are placed within sixty feet (60') of each other.
- (5) Any channel relocation may not alter the flood hazard limits and impact adjacent properties without the full notification and letter of map amendment process as described by FEMA/NFIP regulations. All channel relocation/improvements must be supported by a Hydraulic Analysis that indicates there is no hydraulic impact outside the platted boundaries for the applicable design storm.
- (6) Any development that has rear lot drainage that traverses through multiple lots shall be sub-surface.
- (7) No encroachments of permanent structures are permitted within public drainage servitudes.
- (8) The City reserves the right to require information on all developments to ensure future structures are protected from flooding.
- (9) *Open ditch subdivisions*. Permissible subdivision detention basins for open ditch subdivisions that will remain open ditch are as follows:
 - (i) Roadside ditch.
 - (ii) Pond.
 - (iii) Perimeter ditches.
 - (iv) Other design options developed by the developer and approved by the City Engineer.
- (10) *Curb and gutter subdivisions*. Permissible residential subdivision detention basins for curb and gutter subdivisions are as follows:
 - (i) Curb side; detention area shall be curb to curb but flood depth is not to exceed three inches above the centerline of the roadway.
 - (ii) Curb to curb and underground storm drainage system.
 - (iii) Curb to curb, underground storm drainage system and detention pond.
 - (iv) Pond.
 - (v) Other design options developed by the developer and approved by the City Engineer.
- (11) Maintenance of storm water management facility.
 - (i) The owner of the detention facility or any successor who acquires title to the storm water management facility shall at all times maintain the design section of the storm water management facility as indicated on the site drainage plan and in the drainage impact analysis report. If the City

determines that the storm water management facility has not been maintained, the owner shall make the necessary modifications to conform to the original approved design sections, requirements, etc., within a 30-day period from written notification from the City.

(ii) Maintenance of the storm water management facility shall be included on the site drainage plan as well as within the drainage impact analysis report and shall be acknowledged in writing by the owner of the development. The developer shall provide the City with an approved agreement or other contractual arrangement evidencing that adequate provision has been made for future maintenance of the facility in those instances where the facility is to be acquired by an owners' association or other similar entity.

Sec. 19-41 – Hydraulic Standards for the Designated 100 Year (1 percent) Special Flood Hazard Area.

- (a) The following general standards shall apply in addition to any other stated provisions for all proposed development within the City and the designated one percent {1%} chance storm event or one hundred (100) year Special Flood Hazard Area:
 - (1) Flood Plain Analysis shall be required for all developments/projects greater than 50 lots or 5 acres, whichever is the lesser, located within a Designated Flood Hazard Zone. The complete analysis must be conducted after Preliminary Plat approval by the Planning Commission and before Final Plat approval or issuance of a commercial building permit.
 - (2) Any Flood Plain Impact Analysis conducted for a development/project located in the Designated Flood Hazard Area Zone "A" shall include, as an integral part of the Flood Plain Impact Analysis, a Base Flood Elevation Determination in accordance with the FEMA NFIP document, "Managing Floodplain Development in Approximate Zone A Areas."
 - (3) No development, fill, or obstruction of any type on or over any portion of a Designated Floodway shall be permitted which alone or cumulatively with other such development, fill, or obstructions would cause or result in an obstruction or otherwise adversely affect the efficiency of or restrict the flow or capacity of a Designated Floodway so as to cause foreseeable damage to others, wherever located. Any such development application shall include hydrologic and hydraulic HEC-RAS data (or other models acceptable to the applicable regulatory agency) confirming that no adverse flood effects will result from a proposed development in the Designated Flood way. This certification is subject to review and approval or denial by the City and/or FEMA.
 - (4) All development which fill or modify a designated Special flood Hazard Area must mitigate that development activity volumetrically.
 - (i) Mitigation is to provide equivalent storage volume (acre-ft) as is proposed to be filled/modified below the established base flood elevation. Documentation shall be provided which determines the volume of the fill material/modification placed above natural grade to the determined base flood elevations for the development. The storage volume facility shall result in an effective "zero net fill" of the pre-development storage capacity of the Special Flood Hazard Area. Provisions shall be made for the retention/detention pond to accept storm water during the 100-year (1%) storm event from the adjacent properties of an equal volume of that consumed from the development activities.

- (ii) If the stormwater retention facility is used as the storage mitigation area, the storage volume is to be calculated as the volume above the 25-year (4%) water surface elevation of the pod.
- (iii) If a separate facility is provided for the storage volume, the storage volume may be calculated from the invert or standing water surface elevation.
- (5) Fill or other materials placed within a known flood hazard area or flood plain area shall be protected against erosion. Acceptable means of protection include, but are not limited to: Rip- rap, vegetation covers, hydro-mulch, erosion control matting and bulk heading. See above for more information on proposed fill in flood ways as defined by the latest NFIP F.I.R.M.
- (b) Elevation Requirements: All structures or applicable public infrastructure enclosed on three or more sides, built on property in the one hundred (100) year Flood Zone shall be elevated to ensure the lowest floor elevation is located at a minimum of one foot (1') above the base flood elevation height for that area at the time of project construction.
- (c) No Net Fill Requirement: For residential, industrial, commercial and other nonresidential developments which are located in the 100-year flood zone, according to the latest Federal Emergency Management Agency flood insurance rate map, there is a no net fill requirement. No net fill means that the total net flood storage volume below the base flood elevation that exist in the predevelopment condition shall not be reduced in any way by the construction of the development facilities. The design and construction of the development may include fill and excavation for the construction of the development. Such fill and excavation proposed for construction may change the location and size of the flood storage areas but must not in any way reduce the flood storage volume that existed in the predevelopment condition. The design engineer for the development shall provide the City Engineer with calculations of flood storage volume below the base flood elevation for both the predevelopment condition and for the final grading plan. The volume calculations shall be submitted to the City Engineer and approved prior to the start of construction.
- (d) Filling Within the 100-Year Floodplain: When filling is allowed within the 100-year floodplain, in compliance with the no net fill requirements, it shall be designed, planned and constructed without causing floodplain restrictions. Floodwaters must be able to flow freely in and out of the natural or constructed flood storage areas within the designated floodplain. The drainage impact analysis must show that the improvements will not increase the upstream flood elevations.
- (e) Development Within A Regulatory Floodway: For proposed developments within a regulatory floodway, a complete drainage impact analysis will be required by a Louisiana licensed engineer showing that the proposed development will not increase upstream flood elevations. The drainage impact analysis shall be submitted to the City Engineer and approved prior to any construction within the floodway.

Sec. 19-42 through 19-45. Reserved.

ARTICLE VI – DESIGN, CONSTRUCTION AND CERTIFICATION OF DEVELOPMENT FACILITIES AND IMPROVEMENTS

Sec. 19-46 – Design of Development Facilities.

The design and planning of all development facilities such as drainage, streets and all utilities proposed to be public facilities located within right of ways, easement and servitudes shall be performed by a licensed engineer registered to practice in Louisiana. Plans and specifications shall be submitted to the City Engineer for approval prior to construction. All testing reports, design data and information critical to making design decisions shall be submitted to the City Engineer for approval along with the plans.

Sec. 19-47 – Construction of Development Facilities.

The construction of the development facilities shall be accomplished in strict conformance with the plans and specifications. Construction inspection shall be provided by the design engineer, to the extent necessary, to certify that the facilities were constructed in accordance with the plans and specifications. Copies of all testing and inspection reports and record drawings shall be submitted to the city and the City Engineer when the construction is completed. All record drawings for all improvements shall be provided in the following formats: full size (24"x 36") plan sheets AND electronic copy in PDF format.

(a) Construction Quality Control of the Subdivision Improvements

The latest edition of the Louisiana DOTD "Standards Specifications for Roads and Bridges" shall be used as a guide for construction quality and is hereby incorporated in the regulations by reference.

- (1) A preconstruction conference shall be held prior to the start of construction. The conference will be held at the City Hall. The developer, the selected contractor, the design engineer, the City Engineer and the City Superintendent must be present at the conference. The preconstruction conference will held to inform the developer and contractor about the quality control requirements during construction.
- (2) The Contractor shall obtain from the City of Breaux Bridge a permit to construct the proposed subdivision improvements within the City limits of Breaux Bridge. The permit fee shall be determined based on 5% of the estimated construction cost of the proposed improvements to be dedicated to the City for perpetual maintenance. The estimated construction cost (determined by bid prices or the engineer's cost estimate) of the proposed improvements must be reviewed and approved by the City Engineer prior to the determination of the 5% permit fee.
- (3) The permit fee will be utilized to cover the expenses associated with the City of Breaux Bridge providing construction observation and testing services required to give the City assurances that the improvements are constructed in accordance with the approved plans and specifications. The testing services and construction observation by the City are not intended to replace those testing and inspection requirements required by the design engineer. The City will not be responsible for performing utility testing (e.g. pressure testing, bacteriological testing, TV inspection, etc.) or roadway coring and other testing required by the Subdivision Regulations. The number and type of test performed is at the sole discretion of the City of Breaux Bridge and is not intended as substitution for the testing required by the design engineer or the contractor to properly construct the proposed improvements.
- (4) An inspector certified by LA DOTD shall be present at the asphalt batch plant or concrete batch plant whenever material is prepared for use in construction of the development infrastructure and shall certify that the material used was of the approved quality and in conformity with the specifications.
- (5) The Contractor shall submit a construction schedule to the City Engineer prior to beginning construction. The City Engineer shall be notified when construction of a subdivision commences and when the drainage, utilities, base course and pavement construction is to be done.

- (6) The developer's design engineer shall submit to the City Engineer, the soil test reports and recommendations for the soil/cement base course or for any other base course that he proposes to use, with the submittal of the plans and specifications.
- (7) Laboratory testing reports shall be approved by the developer's design engineer and provided to the City Engineer for his review and approval. Required reports are as follows:
 - (i) Atterberg limits of the soil at the sub-grade and base course grade
 - (ii) lime and/or cement determination for the base course
 - (iii) compaction tests of road sub-grade and base course
 - (iv) design mix of asphaltic concrete
 - (v) design mix for Portland cement concrete
 - (vi) coring of finished roadways
- (8) The design engineer shall certify as acceptable, materials proposed to be used for storm sewers. These materials shall be submitted to the City Engineer and approved prior to the start of construction.
- (9) The developer shall, at his own expense, have all subsurface storm sewer features and sanitary sewer system constructed features closed circuit television inspected. The videos shall be provided to the City Engineer in DVD format acceptable to the City Engineer for his review and approval. The videos shall be accompanied by television inspection reports that denote all features. The following are minimum requirements:
 - (i) The sewer system shall be thoroughly pre-cleaned prior to TV inspection. Sewer system will be rejected if not sufficiently cleaned prior to TV.
 - (ii) Videos and reports must be correctly labeled with inlet/manhole numbers that match the construction plans.
 - (iii) The record drawings of the sewer system must include labeled wye/service locations based on the television inspection, with the correct sewer lengths and any changes in the system configuration.
 - (iv) Full video of the manholes/inlets/catch basins should be furnished, panning the entire structure. The structure should be panned at the beginning and end of each segment TVed.
 - (v) Provide records of all testing (pressure, infiltration/exfiltration, etc.) performed on the sewer system (determined by City Engineer during plan review).
- (10) The developer shall provide to the City Engineer record drawings accurately depicting all constructed improvements, dimensioning all surbsurface features. The location of all services shall be depicted and dimensioned on the plans (stationed from upstream manhole for sanitary sewer services, based on the television inspection performed).

Sec. 19-48 – Certification of Improvements.

The design engineer of record who has stamped the plans is required to provide a letter of certification to the city. The letter shall certify that all improvements were constructed in accordance with the approved plans and specifications. Once the engineer has provided the certification, testing and inspection reports and record drawings the City Engineer will review and inspect the completed work. The City Engineer may require additional testing of the completed facilities to assure the quality of the constructed facilities. All the testing, including the additional testing required by the City Engineer, shall be paid by the developer.

(a) Certification of the Subdivision Improvements

The design engineer of record who has signed and stamped the plans is required to provide a letter of certification to the City and the City Engineer. The letter shall certify that all the subdivision improvements were constructed using the required inspection, testing and quality control measures and in conformance with the approved plans and specifications.

(b) Submittal of Test Reports

The design engineer shall submit copies of all testing reports to the City Engineer as they are completed. Perform and submit to the City Engineer all required post construction testing reports showing the quality of all the improvements as soon as possible after construction.

(c) **Record Drawings**

The design engineer shall submit three (3) sets of construction plans updated to show the record locations of all the subdivision improvements to the City Engineer for the City. Building permits will not be issued for building construction in the subdivision until record drawings are submitted to the City. For open ditch drainage systems, a culvert table shall be included as described in Section 5.1(b).

Sec. 19-49 - Reserved.

ARTICLE VII – ACCEPTANCE OF IMPROVEMENTS AND EXTENDED WARRANTY

Sec. 19-50 – Acceptance of Improvements.

(a) Warranty and Maintenance Agreement & Performance Bonds

When the construction of the subdivision improvements are completed, the developer and his contractor shall prepare a written request to the City of Breaux Bridge asking the City to accept the completed improvements. With the request, the developer and his contractor shall file an agreement with the City of Breaux Bridge to provide a warranty of two (2) years from the date of acceptance by the City as complete (Note this does not constitute acceptance for perpetual maintenance). The developer and his contractor further agree that they are responsible for the proper maintenance of the improvements during the warranty period. The developer and contractor shall provide a Performance Bond covering the first year of the warranty, equal to 100% of the construction cost of the public subdivision facilities constructed. The developer and contractor shall also provide a second Performance or a letter of credit equal to 10% of the construction cost of the public subdivision facilities constructed, covering the second year of the warranty. The performance bonds and/or letter of credit shall specifically cover any and all corrective and maintenance work required during the two (2) year warranty period. These Performance Bonds and/or letter of credit shall be utilized by the City if the developer and contractor do not provide the required corrective and maintenance work. Perpetual Maintenance by the City of Breaux Bridge shall not be assumed until the end of the warranty period. The City Attorney shall approve the developer's and contractor's warranty, maintenance agreement, performance bonds and/or letter of credit prior to the City' acceptance.

(b) City Acceptance of Improvements for Perpetual Maintenance

An inspection shall be made by the developer, the contractor and the City Engineer sixty (60) calendar days prior to the expiration of the warranty period to determine if any corrective and/or maintenance work is required. Corrective and/or maintenance work shall be completed by the developer and contractor or by use of the performance bonds and/or the letter of credit prior to the end of the warranty period. At the end of the warranty period the City Engineer shall make a final inspection. If he finds that no failures or problems exist he will then recommend acceptance of the subdivision facilities by the City of Breaux Bridge for perpetual maintenance. Upon acceptance, the City shall then provide written approval for the cancellation of the performance bonds and/or release of the letter of credit.

Once the design engineer has provided the certification, testing and inspection reports and record drawings the City Engineer will review and inspect the completed work. When the construction work is found completed to the satisfaction of the City Engineer, the City Engineer will recommend acceptance of the public facilities by the city for perpetual maintenance.

Sec. 19-51 – Extended Warranty.

The City of Breaux Bridge requires an extended warranty of two (2) years from the date of acceptance by the city on all improvements that are public facilities located in public right of ways, easements and servitudes. This extended warranty shall be provided by the developer in the form of an Irrevocable Letter of Credit for the purpose of guaranteeing to the City of Breaux Bridge the availability of funds for the purpose of warranty against faulty construction of improvements. The amount of the Irrevocable Letter of Credit shall be equal to twenty percent (20%) of the total cost of construction of the street and drainage.

Sec. 19-52 through 19-55. Reserved.

BE IT FURTHER ORDAINED by the Board of Aldermen for the City of Breaux Bridge, Louisiana, that all other ordinances and provisions of the Code of Ordinances for the City of Breaux Bridge, Louisiana, that are in conflict with the provisions hereof are hereby declared to be repealed to the extent any such conflict exists.

BE IT FURTHER ORDAINED by the Board of Aldermen for the City of Breaux Bridge, Louisiana, duly convened in regular session on the day of October 10, 2017, that the provisions of this ordinance are hereby declared to be severable, and if any provision, word, phrase, or clause of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the validity of the remaining portions thereof.

BE IT FURTHER ORDAINED by the Board of Alderman for the City of Breaux Bridge, Louisiana, duly convened in regular session on the 10th day of October, 2017, that this ordinance shall become effective immediately upon the signature of the Mayor.

UPON MOTION of Howard Alexander seconded by Gary Champagne, and upon verification and assurance that the foregoing ordinance was:

- 1. Introduced on September 12, 2017, at the regular meeting of the Mayor and Board of Alderman for the City of Breaux Bridge, Louisiana;
- 2. Disseminated to the Mayor and all Aldermen;
- 3. Published, by title, in the official journal of the city of Breaux Bridge, Louisiana, together with the notice of the time and place of its consideration for formal adoption; and
- 4. Presented at a public hearing held on the 12th day of September, 2017, the Board of Aldermen, on the 10th day of October, 2017, adopted Ordinance Number 2236 by virtue of the following votes:

YEAS: Brenda Castille Hobbs, Howard Alexander, Ernest Ledet, Glenn Michael Angelle and Gary Champagne NAYS: <u>None</u> ABSENT: <u>None</u> ABSTENTIONS: <u>None</u>

ATTEST: TTIE B. DUI CITY CLERK October 11, 2017 DATE

APPROVED:

RICKY

MAYOR October 11, 2017 DATE