

**NOTICE OF INTRODUCTION OF ORDINANCE**

NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on February 11, 2021, and laid over for publication of notice:

**L.P. ORDINANCE 21-03**

AN ORDINANCE TO AMEND CHAPTER 125 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "SUBDIVISION REGULATIONS," ARTICLE I, IN GENERAL, SECTIONS 125-24, "DRAINAGE/DRAINAGE IMPACT STUDY.", 125-25, "DRAINAGE IMPACT STUDY/DRAINAGE DESIGN REQUIRMENTS.", 125-27, "DRIVEWAY CULVERTS AND/OR SUBSURFACE DRAINAGE." AS FOLLOWS.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, February 25, 2021, at six (6:00) o'clock p.m., at the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

*1/2* *Sandy C. Teal*

Sandy Teal, Council Clerk

*1/2* *Garry Talbert*

Garry Talbert, Council Chair

(As per rules of the Council, copies of the proposed ordinance shall be made available for public inspection in the Office of the Livingston Parish Council.)

The following ordinance, which was previously introduced in written form required for adoption at a regular meeting of the Parish Council on February 11, 2021 a summary thereof having been published in the official journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage February 25, 2021 on Motion of Randy Delatte and seconded by Tracy Girlinghouse:

### **L.P. ORDINANCE 21-03**

AN ORDINANCE TO AMEND CHAPTER 125 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "SUBDIVISION REGULATIONS," ARTICLE I, IN GENERAL, SECTIONS 125-24, "DRAINAGE/DRAINAGE IMPACT STUDY.", 125-25, "DRAINAGE IMPACT STUDY/DRAINAGE DESIGN REQUIRMENTS.", 125-27, "DRIVEWAY CULVERTS AND/OR SUBSURFACE DRAINAGE." AS FOLLOWS.

WHEREAS, the Livingston Parish Council adopted L.P.O. 01-16, reenacting Chapter 13 of the Code of Ordinances of Livingston Parish, Subdivision Regulations, which has since been codified and adopted in L.P.O. 19-16 and is now identified as Chapter 125, and;

WHEREAS, the Livingston Parish Council has adopted numerous amendments to Chapter 125 of the Code of Ordinances and now desires to amend the Chapter further by amending Section 125-24, "Drainage/drainage impact study", 125-25, "Drainage impact study/drainage design requirements.", 125-27 "Driveway culvers and/or subsurface drainage.", to eliminate the prohibition of subsurface drainage without approval from the agency or agencies responsible for maintaining the affected ditch:

NOW, THEREFORE, BE IT ORDAINED by the governing authority of the Parish of Livingston, State of Louisiana: The Code of Ordinances of Livingston Parish, Chapter 125 is hereby amending the section to read as follows:

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed. 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.

#### **Sec. 125-24. - Drainage/drainage impact study.**

- (a) The O/D/S's engineer shall plan all drainage for the project in accordance with the master drainage plan. Until such time that a master drainage plan is adopted by the Parish Council, the O/D/S's engineer shall utilize sound engineering practice and the criteria specified in this chapter. Subdivisions shall be designed for either open ditches or enclosed conduit systems. Installation of subsurface drainage is prohibited in any subdivision designed for open ditches without approval from the agency or agencies responsible for the maintenance of the ditch. The agency approval should include a statement that there is no negative impact on the flow of water.

#### **Sec. 125-25. - Drainage impact study/drainage design requirements.**

- (h) Subdivision drainage shall be designed in accordance with one (1) of the following three (3) options:
  - (1) Open ditch subdivision. A subdivision that will be designed and built with open ditches. Installation of any subsurface drainage (other than a driveway culvert) is prohibited in any subdivision designed for open ditches without approval from the agency or agencies responsible for the maintenance of the ditch. The agency approval should include a statement that there is no negative impact on the flow of water. Driveway culvert pipe shall be designed and shown on the drainage layout map. All sellers of any lot/parcel within an open ditch subdivision shall make the buyer beware that any subsurface drainage will not be allowed to be added (other than one (1) driveway culvert per lot or parcel). The following statement must be placed on the bill of sale: "BUYER BEWARE: Installation of any subsurface drainage (other than a driveway culvert) is prohibited in this subdivision designed for open ditches."

#### **Sec. 125-27. - Driveway culverts and/or subsurface drainage.**

- (b) No person, including, but not limited to, contractor, house-builder, homeowner, or lot owner, shall install subsurface drainage culverts, other than an approved driveway culvert, in road/street ditches for subdivisions designed for open ditches without approval from the agency or agencies responsible for the maintenance of the ditch. The agency approval should include a statement that there is no negative impact on the flow of water. Only subdivisions designed for subsurface drainage may install subsurface drainage during or after the maintenance period in accordance to the drainage plans provided in the construction plans.

The effective date of this ordinance shall be as prescribed by law.

Upon being subjected to a vote, the vote thereon was as follows:

YEAS: MR. WASCOM, MR. ARD, MR. TALBERT, MR. HARRIS, MR. MCMORRIS,  
MR. DELATTE, MR. GIRLINGHOUSE, MR. KEEN

NAYS: NONE

ABSTAIN: NONE

ABSENT: MR. MACK

And the ordinance was declared adopted on the 25<sup>th</sup> day of February 2021.

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Garry Talbert, Council Chair

ATTEST:

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Sandy Teal, Council Clerk

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INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_

DELIVERED TO PRESIDENT \_\_\_\_\_, \_\_\_\_\_ o'clock \_\_\_\_ .M.

APPROVED BY PRESIDENT \_\_\_\_\_  
Layton Ricks Date

VETOED BY PRESIDENT \_\_\_\_\_  
Layton Ricks Date

RECEIVED FROM PRESIDENT \_\_\_\_\_, \_\_\_\_\_ o'clock \_\_\_\_ .M.

The effective date of this ordinance shall be as prescribed by law.

Upon being subjected to a vote, the vote thereon was as follows:

YEAS: MR. WASCOM, MR. ARD, MR. TALBERT, MR. HARRIS, MR. MCMORRIS,  
MR. DELATTE, MR. GIRLINGHOUSE, MR. MACK, MR. KEEN

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

And the ordinance was declared adopted on the 25<sup>th</sup> day of February 2021.

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Garry Talbert, Council Chair

ATTEST:

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Sandy Teal, Council Clerk

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Layton Ricks, Parish President