

ORDINANCE 79-9B

AN ORDINANCE ADOPTING THE VERMILION PARISH POLICE JURY
SUBDIVISION ORDINANCE DATED, JANUARY 6, 1979

Miscellaneous

BE IT ORDAINED by the Mayor and Board of Aldermen of the Village of Maurice, Louisiana, acting as governing body of said Village that:

Maurice Ordinance 79-9B be adopted, thereby adopting the existing Vermilion Parish Police Jury Subdivision Ordinance of January 6, 1979 at volume 14, page 8, recorded with records of Vermilion Parish Clerk of Courts at COB 655, page 405, under entry #195229 subject to amendments and modifications:

- (1) The terms Police Jury or Vermilion Parish Police Jury shall mean the Board of Aldermen of the Village of Maurice, Louisiana,
- (2) The Parish of Vermilion term shall mean the Village of Maurice, La.,
- (3) Paragraph B dealing with street improvement shall be amended to read, "The roadway shall be improved by surfacing with one and one-half inch asphaltic concrete, twenty feet in width on a soil-cement base course six inches deep, ten per cent cement by volume, twenty-one feet in width shall be provided. All the above stated specifications represent the minimum standard for street improvements. All culverts, bridges, etc., installed and all lateral drainages completed. All of the foregoing to specifications approved th the Police Jury, before the said streets, culverts, bridges, lateral, drains, ect., shall be accepted by the Police Jury for maintenance. Hard surface street construction may be approved providing they meet the specifications approved by the Police Jury."

The above Ordinance was read, section by section, and was submitted to a vote, the vote thereon was as follows:

YEAS: Alderman Paul Catalon Alderman Barbara Picard Alderman Nason Trahan

NAYS: None

ABSENT OR PRESENT AND NOT VOTING None

The above Ordinance was declared adopted this 12th day of September in the year 1979.

Willie A. Broussard
Willie A. Broussard, Secretary

Corbette A. LeBlanc Sr.
Corbette A. LeBlanc, Sr., Mayor

WORKING DRAFT OF PROPOSED ORDINANCE

VERMILION PARISH POLICE JURY

"SUBDIVISION ORDINANCE"

An Ordinance, regulating the subdivision or resubdivision of lands within Vermilion Parish into lots or plots for building or dwelling sites; providing for submission and approval of maps or plats for such subdivision or resubdivision; providing for certain minimum improvements; providing for the enforcement of the regulations herein set forth; providing penalties for the violation of this Ordinance.

Be it Ordained by the Police Jury of the Parish of Vermilion in legal and regular session convened. The following regulations for the subdivision or the resubdivision of lands into lots or plots for building or dwelling sites; the provisions for the submission and approval of maps or plats for such subdivision or resubdivision; the provisions for minimum improvements; the provisions for the enforcement of regulations and provisions of this Ordinance; the provisions for penalties for the violating of any of the regulations or provisions of this Ordinance, be and the same are hereby adopted.

1. DEFINITIONS

For the purpose of this Ordinance, certain terms and words used herein are defined as follows:

A) "Subdivision" means the division of a lot, tract or parcel of land into five or more lots, plots, parcels or building sites, anyone of which has an area of less than three (3) acres, for the purpose of sale or of building development, either immediate or future. It also includes the resubdivision or rearrangement of one or more lots, plots, parcels or building sites.

B) "Streets, Avenue, Road and Highway" or any other similar designation all mean the same for the general purpose of this Ordinance.

C) "Alley, Service Way" or any other similar designation all mean the same for the general purpose of this Ordinance.

D) "Police Jury" means the governing body of the Parish of Vermilion.

E) "Engineer" means a qualified, professional engineer licensed in the State of Louisiana.

F) "Surveyor" means a qualified, professional surveyor licensed in the State of Louisiana.

G) "Owner" means any person, firm or corporation owning lands proposed for subdivision into lots or plots for building or dwelling sites.

2. EXCEPTIONS

The regulations in this Ordinance shall not apply to:

A) A subdivision legally established and recorded prior to the adoption of these Regulations.

B) The subdivision of land to be used for orchards, forestry, or raising of crops, provided the owner certifies upon the plat that such land is intended only for orchards, forestry, or raising of crops.

C) Small parcels of land sold to or exchanged between adjoining property owners, where such sale or exchange does not create additional lots provided that the Police Jury certifies upon the plat that such sale or exchange does not create additional building sites.

3. PRELIMINARY PLAT

In seeking to subdivide land into lots or building sites, or to dedicate streets, alleys or land for other public use, the owner shall submit two copies of a preliminary sketch plat prepared by a licensed professional engineer, or a licensed land surveyor, to the Vermilion Parish Police Jury before submission of the final plat. The preliminary plat shall be drawn to scale, and shall show:

A) The location of all existing property lines, North Arrow scale, streets, alleys, buildings, irrigation canals, sewer mains, water mains, drainage ditches, gas mains, telephone electrical lines, culverts, and other underground structures, easements and other existing features within the area to be subdivided and all tie-ins in the adjoining or abutting streets or alleys.

B) The names of all adjoining property.

C) The proposed location and width of all streets, alleys and lots.

D) The title under which the proposed subdivision is to be recorded, the name of the owner and the name of the Engineer or Surveyor.

E) The Police Jury may require a contour map, or certain elevation data which shall be based upon the official datum (U.S. Coast and Geodetic Survey), if necessary.

F) Designation of public agencies, private individuals or corporations responsible for perpetual maintenance of utilities and other improvements to be installed in the subdivision

At the time of submitting the aforesaid preliminary plat, there shall also be submitted evidence that the methods of water supply and sewage disposal for the proposed subdivision are acceptable to the Vermilion Parish Health Unit and the Louisiana State Board of Health.

If any portion of the proposed subdivision is located within the jurisdiction of any political subdivision of the Parish, such as water works districts or sewerage districts, or municipalities copies of the preliminary plat shall also be filed with the appropriate agents of these political subdivisions.

At the time of filing the Preliminary Plat the Police Jury shall make an examination thereof, and certify the preliminary plat as conforming to good design and practice, and to established codes and regulations; or lacking such certification, they shall recommend any changes required to bring them into compliance with the aforesaid practices, standards, codes and regulations.

The Police Jury shall either approve, or conditionally approve, or shall disapprove such preliminary plat within thirty (30) days after its submission. If the preliminary plat is conditionally approved, the conditions of approval shall contain the following requirements:

1. That any changes the Police Jury deems necessary be made in order that subdivision conform to these regulations.
2. That the final plat be submitted complying with the provisions herein set forth.

After approval of the preliminary plat by the Police Jury (or conditional approval) the owner shall submit a final plat and complete construction plans for the entire development of the area given preliminary approval and including all requirements listed under (Section 4. Final Plat). If the owner shall fail to submit a final plat within one (1) year of the preliminary approval, the Police Jury reserves the right to cancel its preliminary plat approval.

4. FINAL PLAT

After approval or conditional approval of the Preliminary Plat by the Police Jury, the owner for the proposed subdivision shall prepare and forward two copies of the final plat including all related documents to the Parish Police Jury for review and approval. The final plat shall be accompanied with detailed plans and specifications of any improvements to be made on alleys, streets, roadways, surface and subsurface drainage facilities, water supply and water distribution facilities, gas distribution facilities, telephone and electrical system facilities, sewage collection and sewage treatment facilities.

The final plat shall show:

- A) The title under which the subdivision is to be recorded, the name of the owner, and the name of the Engineer or Surveyor preparing the plat North Arrow and scale.
- B) The boundaries of the property, the lines of all streets and alleys with their widths and names, and any other portions intended to be dedicated to public use. In case of branching streets or alleys, the angle of departure from one street or alley to another shall be indicated.
- C) The lines of the adjoining streets and alleys with their widths and names.
- D) All lots lines, lot numbers, or letters in resubdivisions and utility easements shall be shown and determined by measurements. Utility easements may be granted at the rear of lots for installation of utilities. The minimum width of the utility easements will be determined by the Police Jury and will depend on the number and type of utilities to be installed in said easement.
- E) All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision in relation to some section, quarter section or other established corner and line must be shown in order to show the relation of the subdivision boundaries to the section lines or to other established corner and line acceptable to the Police Jury.

All dimensions, both linear and angular of the streets, alleys, lots, utility easements or other tracts or areas shall be shown. The linear dimensions shall be expressed in feet and decimals of a foot.

F) Radii, points of tangency, and central angles for all curves and rounded corners.

G) Location and description of all monuments; a suitable permanent monument of iron or concrete shall be located at all corners and all angle points on the subdivision boundaries. All streets, alleys, lots or other tract corners, intersections and angle points shall be marked with iron pipe or other suitable monument.

H) Any restrictive covenants to apply to lots in the subdivision shall be printed for recording along with the Final Plat of subdivision in the office of the Clerk of Court of Vermilion Parish.

I) The plat must be prepared by an licensed and registered engineer or surveyor in the State of Louisiana.

J) Building set back line.

K) The map or plan shall not show any tract, area, strip, or any other portion of land as "Reserved" all areas shall be designed by number of letter and no blank area shall be shown on the map or plat.

L) Copies of all agreements and/or contracts for the operation and perpetual maintenance of all utilities and other improvements for the subdivision.

Upon receipt of the Final Plat, the Police Jury shall make an examination thereof, and within thirty (30) days certify that the final plat is in accordance with the established codes and regulations; or lacking such certification, the Police Jury shall require that the plat be corrected to comply with the aforesaid practice, standards, codes and regulations of this Ordinance.

The owner shall make whatever changes required in the final plat and resubmit until all requirements of the Ordinance are met. When all requirements are met, the final plat may be approved by the Parish Police Jury and shall be recorded.

5. DESIGN STANDARDS

A) Streets, Alleys & Easements

1. Provide for the continuation or appropriate projection of existing streets in surrounding areas.

2. Street jogs with centerline offsets of less than 125 ft. shall be avoided.

3. A tangent at least 100 ft. long shall be introduced between reverse curves on streets.

4. Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than 60°.

5. Half-streets shall be prohibited, except where essential to the reasonable development of the subdivision and when it will be practicable to require the dedication of the other half when the adjoining property is subdivided.

6. Dead-end streets, designed as such permanently shall be provided at the closed end with a turn-around having an outside property line diameter of at least 50 feet.

7. Street right-of-way widths shall be no less than 50 feet for open ditch sections and no less than 40 feet for curb and gutters sections.

8. No street names shall be used which will duplicate or be confused with the names of existing streets. Streets that are obviously in alignment with others already existing shall bear the names of the existing streets. Street names shall be subject to the approval of the Police Jury.

9. Alleys shall be provided at the rear of all commercial and industrial lots, except that the Police Jury may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed. The minimum width of such alleys shall be twenty (20) feet.

10. Alleys at the rear of residential lots are not recommended except under unusual conditions.

11. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width or construction, or both as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith. Widths required shall be determined by the Police Jury.

B) Blocks & Lots

1. The lengths, widths and shapes of blocks shall be determined with due regard to:

- a. Provision of adequate building sites suitable to the special needs of the type use contemplated.
- b. Requirements as to lot sizes and dimensions.
- c. Needs for convenient access, circulation, control and safety of street traffic.
- d. Limitations and opportunities of topography.

2. The lot size, width, depth, shape, and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

3. Residential lots where not served by public sewer shall not be less than 12,500 square feet in total area unless otherwise approved by Louisiana Board of Health or any other governmental authority having jurisdiction.

4. Corner lots shall have extra width to permit appropriate building setback from and orientation to both streets.

5. The subdividing of the land shall be such as to provide, by means of a public street, each lot with satisfactory access to an existing public street.

6. Side lots shall be substantially at right angles or radial to street lines.
7. The Post Office shall cause to be assigned house numbers to all lots.
8. Building lines shall not be less than 25 feet from the street right-of-way line, and not less than 10 feet from adjoining property side lines.

6. REQUIRED IMPROVEMENTS

A) General

Where the subdivision contains sewers, sewerage treatment plants, water supply systems, park areas, street trees or other physical facilities necessary or desirable for the welfare of the area or that are for common use or benefit which are not or cannot be satisfactorily maintained by an existing public agency, provisions shall be made by trust agreement, which shall become part of the deed restrictions, acceptable to any agency having jurisdiction over the location and improvement of such facilities, for the proper and continuous maintenance and supervision by the Subdivider of such facilities.

B) Street Improvements

All streets must be graded not less than 30 feet from ditch edge of shoulder to ditch edge of shoulder; ditched; the roadway improved by surfacing with gravel or shells or similar material to a depth of not less than 4 inches and to a width of not less than 20 feet. All culverts, bridges, etc., installed and all lateral drainages completed. All of the foregoing to specifications approved by the Police Jury, before the said streets, culverts, bridges, lateral drains, etc., shall be accepted by the Police Jury for maintenance. Hard surface street construction may be approved providing they meet the specifications approved by the Police Jury.

C) Water Lines

Where the public water supply is already reasonably accessible, the Subdivider shall enter into agreement with the Utilities Department for the extension of the said public water system, including the installation of standard valves, fire hydrants, etc., so that public water service shall be available for each lot within the subdivider area. A letter of approval from the State Board of Health approving said system shall be provided.

The methods of potable water supply in the subdivision shall be acceptable to and approved by the Vermilion Parish Health Unit and the Louisiana State Board for Health. Plans and specifications for all water supply to be provided in the subdivision must be approved by the Vermilion Parish Health Unit and the Louisiana State Board of Health. An arrangement for perpetual maintenance of these facilities, acceptable to the Police Jury, must be provided. A letter of approval from the State Board of Health shall be provided.

D) Sewerage

If the subdivision is so located that it can reasonably be served by the extension of an existing public sanitary sewer, the Subdivider shall enter into an agreement with the Utilities Department for the extension of the said sewer so that sanitary sewer service shall be available for each lot. A letter of approval from the State Board of Health approving said system shall be provided.

Where no sewers are accessible the Subdivider may, upon securing a written permit from the Louisiana State Board of Health, install other mechanical means of sewerage disposal for the entire subdivision, provided that the means of sewerage disposal must be approved by the Vermilion Parish Health Unit and shall be installed in accordance with the Sanitary Code of the State of Louisiana. A letter of approval from the State Board of Health shall be provided.

Adequate sewer collection lines shall be provided for the disposal of effluent from this type system leading away from the subdivision. Arrangement for perpetual maintenance of these facilities, acceptable to the Police Jury, must be provided.

E) Drainage

A right-of-way sufficient for the construction and maintenance of necessary drainage channels through the proposed subdivision must be dedicated in perpetuity to the Police Jury. Natural drainage channels or existing drainage canals may not be blocked or altered except upon the written consent of the Police Jury and sufficient right-of-way for the maintenance of such natural drainage channels shall be dedicated in perpetuity to the Police Jury. No buildings of any sort may be erected upon the drainage rights-of-way so dedicated.

7. PLANS AND SPECIFICATIONS

Plans and specifications must be prepared by a professional licensed engineer and submitted to the Police Jury for approval prior to beginning construction and must show the following:

1. Contours with intervals of two (2) feet or less referred to sea level datum as determined by the U.S. Coast and Geodetic Survey.
2. The grades of proposed streets, and the width and type of pavements; location, size type of sanitary sewers or other sewerage disposal facilities, gas mains, water supply, water mains and hydrants, street lighting and other utilities; storm water drainage facilities and other proposed improvements such as sidewalks, planting, school and park sites, and any grading of individual lots.
3. There shall also be submitted with the final plan copies of the approval of final plans for the water supply and sewerage facilities in the proposed subdivision by the Parish Health Unit and the Louisiana State board of Health. Where the subdivision is located within the obvious development area of a municipality, the subdivision shall comply with minimum subdivision requirements of that municipality.
4. After final plan has been approved by the Police Jury, the owner-subdivider may construct the required improvements. The owner is responsible, and shall take every reasonable measure to assure, that all construction complies with the approved final plan for the subdivision. Upon completion of the improvements, the Police Jury shall inspect the improvement or improvements to certify that construction has been executed in compliance with the aforesaid approved plans and specifications.

5. In the event of any disagreement or difference with regard to compliance with the aforesaid plans, specifications, codes and regulations, during any phase of an approved development or improvement, subdivision or resubdivision, such disagreement or difference shall be submitted to the Police Jury for consideration and final determination.

8. FEE

In order to defray the cost to the Parish for reviewing and evaluating subdivision plans and inspecting subdivision construction works, the owner shall pay the Parish Treasurer fees according to the following schedule:

A) For reviewing and evaluating the preliminary plat of a subdivision, the owner shall remit a sum computed at the rate of Fifty Cents (\$.50) per lot or Fifty Dollars (\$50.00) whichever sum shall be the greater, and this fee shall be paid at the time the Preliminary Plat is submitted for consideration by the Police Jury.

B) For reviewing and evaluating the Final Plat of a subdivision, the owner shall remit a sum computed at the rate of One and a Half Dollars (\$1.50) per lot or Fifty Dollars (\$50.00) whichever is the greater, and this fee shall be paid at the time the Final Plat is submitted for consideration by the Police Jury.

C) For examining, inspecting, and approving the subdivision construction works and improvements, the owner shall remit a sum computed on the basis of Fifty Dollars (\$50.00) per man day for actual time spent. This sum shall be paid before final certification of completion of improvements by the Parish.

9. VARIATIONS AND EXCEPTIONS

The Parish Police Jury therein reserves the right to consider modifications of the requirements of this Ordinance, when it is clearly evident that an extraordinary condition exists that would make it impractical and not feasible to comply with all the requirements of this Ordinance.

10. ENFORCEMENT

A) No street number and no building permit shall be issued for the erection of any building in the above limits of any piece of property other than on an original or resubdivided lot in a duly approved and recorded subdivision without the written approval of the Police Jury, or its authorized representative.

B) No sewer, water or gas main or pipe, or other public utility improvement shall be made or shall any public money be expended within the lands laid out in building lots, streets, or alleys where the improvements are for the benefit of such until the Final Plat of such land shall have been accepted by the Police Jury and recorded in the office of the Clerk and Recorded and the Assessor's Office in Vermilion Parish, Louisiana.

C) It shall be illegal to sell by lot and block where final plat has not been recorded in the Office of the Clerk of Court.

11. VIOLATION AND PENALTY

Any person, partnership, or corporation who violates any of the provisions of this Ordinance or aids or abets in the violation of any of the provisions of this Ordinance shall be guilty of a misdemeanor, and shall be punishable by a fine of not exceeding Fifty Dollars (\$50.00). Each day that a violation is permitted to exist shall constitute a separate offense.

12. CONFLICTING PROVISIONS REPEALED

All Ordinances or parts of Ordinances in conflict with any of this Ordinance are hereby repealed.

13. VALIDITY

If any section, clause, paragraph, provision, or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance. The Police Jury hereby expressly declaring that it would have passed the remaining portions of this Ordinance are hereby with invalid portions omitted.

14. DEDICATION OF STREETS

Providing that all streets to be dedicated to public use by any person, form, corporation, the laying out of a subdivision in accordance with Ordinance of this Police Jury relative thereto, shall be done by means of an Ordinance naming the streets, giving the widths and all data necessary before the dedications of any street or streets, or avenues, or roads, shall be accepted by this Police Jury.

15. STREET NAME ORDINANCES

Be it ordained by this Police Jury of the Parish of Vermilion, that all streets to be hereafter dedicated to public use of any person, firm or corporation, laying out any subdivision in accordance with Ordinance of this Police Jury, such person, firm or corporation shall submit to this Police Jury an Ordinance which shall name, the streets or avenues or roads, widths, locations and it shall be accompanied by a map showing the location, width, etc.

16. PUBLIC USE DEDICATION ORDINANCE

Be it further ordained that the Ordinance dedicating said streets, roads, avenues, or alleys to public use may be included in the Ordinance subdividing the property or it may be done by separate ordinance, which shall be optional with this Jury.

17. REGISTRATION EXPENSES

Be it further ordained, that all Ordinances providing for the subdivisions of tracts of land, into lots, plots, or building sites, setting out streets and ordinances dedication streets and roads to public use, shall be registered in the Conveyance Office of the Parish of Vermilion, at the expense of the landowners or parties dedicating said streets to public use.