

ORDINANCE 2024-21

AN ORDINANCE TO AMEND, SUPPLEMENT AND RE-ENACT CITY OF BAKER CODE OF ORDINANCES CHAPTER 22, SECTION 9 Concerning Street and Sidewalk Improvements and to provide for Other Matters regarding to the same.

BE IT ORDAINED BY THE MAYOR AND COUNCIL of the City of Baker, Parish of East Baton Rouge, Louisiana, in regular session assembled, a proper quorum being there and then assembled on the 8th day of October 2024, as follows, to-wit:

SECTION 1:

City of Baker Code of Ordinances Chapter 22, Section 9 shall be Amended, Supplemented and Re-Enacted to read as follows:

“ Sec. 22-9 Street and Sidewalk Improvements.

(a) Street pavement; curbs and gutters.

(1) All street improvements shall be curb and gutter construction, paved 27 feet wide back to back of curbs, and shall be constructed of either Portland cement concrete pavement or bituminous wearing surface. All Portland cement concrete pavement shall include either an integral curb and gutter, or a combination curb and gutter. The thickness of the concrete pavement, and the sizes and shapes of the curbs and gutters, shall be as approved by the city.

(2) All street improvements constructed of a bituminous surface treatment shall be placed on a soil cement base having a minimum thickness of six inches, and shall have a wearing surface of bituminous surface treatment with a minimum thickness of 1½ inches.

(b) Specifications for street construction. All street construction shall comply with the most current Louisiana Department of Transportation Standards and Specifications. Specific sections of these specifications that shall be adhered to are section storm drains; manholes, inlets and catchbasins; four-inch-thick concrete sidewalks; concrete curbs and gutters (no bituminous curbing will be allowed); for excavation and embankment; for six-inch-thick minimum soil cement base course; or the prime coat; for 2-inch-thick bituminous surface treatment; or for Portland cement concrete pavement.

(c) Pipes under driveways. Only approved pipes may be installed under driveways, and the minimum diameter of such pipes shall be 15 inches, unless otherwise approved in writing by the city or its authorized representative. Specifications for pipes are found in (pertaining to reinforced concrete pipe) the most current version of the Standard Specifications for Roads and Bridges published by the state department of transportation and development.

(d) Permit required for installation of drain pipes; petition for construction of drainage system. No subdivider shall be permitted to place drain pipes or structures in front ditches or side yard ditches, including those under driveways, until plans for the installation are approved and a permit is obtained from the city or its authorized representative. Property owners may petition for the construction of permanent curb and gutter streets with adequate storm drainage, with the cost of such construction to be borne by the abutting property owners.

(e) Standards for installation of drain pipes. When permits have been issued by the city for the installation of drain pipes in existing ditches, the installation shall meet minimum requirements as follows:

- (1) The grade will be staked by the city.
- (2) All joints of the drain pipe shall be sealed and made watertight.
- (3) Catchbasins shall be installed at such locations as designated by the city, or shall not exceed a distance of 100 feet apart, and shall have an approved inlet grate at least 18 inches by 18 inches square to be set in a frame having a minimum size of 20 inches by 20 inches square, and the minimum surface opening of the inlet grate shall be 140 square inches.
- (4) Surface water shall be directed to the catchbasins by means of a swale ditch, the flow line of which shall be a minimum of four inches below the crown of the surfaced street.
- (5) On lots with existing buildings, the property owner shall take out a permit to install culvert or drain pipe in ditches. On new construction, the permit will be included in the building permit.
- (f) Width of boulevard type streets. Where the street is of the boulevard type, that is, two lanes of traffic separated by a neutral ground, the paving on each traffic lane shall be not less than 18 feet in width.
- (g) Authority of commission to require higher street standards. Where an existing or proposed major street is located in or adjacent to the suburban area, the commission reserves the right to require higher street standards and specifications so as to have the street of such construction as will adequately carry the traffic which can reasonably be anticipated to use such existing or proposed major street. The subdivider shall dedicate such area as is required by the commission for the proposed major street; however, should the construction requirements be higher than those set forth in this chapter, the additional cost of such construction shall be borne by the requesting authority, if immediate construction to major street standards is required.
- (h) Subdivision of small areas. Where the area to be subdivided contains less than 38,000 square feet, or contains less than eight lots, whichever is smaller, then the requirements hereinafter set forth may be modified by the commission; however, the development shall compare favorably with adjacent areas.
- (i) Profiles. Profiles of all streets and ditches shall be submitted with construction plans.
- (j) Sidewalks. Sidewalks are required along all streets. Such sidewalks shall be constructed in accordance with the standards and specifications required by the commission and the building inspector. Sidewalks shall be of concrete, or equivalent surface, at least four feet in width and four inches in thickness. Sidewalks shall be in a 5' foot wide servitude. In lieu of construction of sidewalks, a surety bond in the amount of construction cost plus 25% for a maximum of 2 years can be submitted with bond being cancelled only after acceptance of improvements by the City of Baker, and the bond shall be submitted before final plat approval. The sidewalks shall be constructed at each home before a Certificate of Occupancy (CO) will be granted by the Inspections Department."

SECTION 2:

All Ordinances and parts of Ordinances in conflict herewith and the same are hereby Repealed.

All Ordinances not in conflict herewith and not affected by the amendment hereinabove set forth are hereby maintained in full force and effect as if re-enacted herein.

The Repeal of an Ordinance shall not affect any punishment or penalty incurred before the repeal took effect, or any suit, prosecution or proceedings pending at the time of the repeal, for an offense committed under the ordinance repealed.

SECTION 3: SEVERABILITY

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by any Court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrases, clauses, sentence, paragraph or section. If the provisions of this ordinance, or the application thereof to any person, fact, situation or circumstance are held invalid, the remainder of this ordinance and the application of such provisions to the other persons, facts, situations or circumstances, shall not be affected thereby.

SECTION 4: INVALIDATION

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications and, to that end, any and all provisions of this ordinance and applications thereof are declared to be severable.

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

YEAS: Collins, Dunn, Murphy, Vincent, Young

NAYS: None

ABSENT: None

ABSTAIN: None

And the Ordinance was presented September 24, 2024, at the regular meeting of the Baker City Council held at the City Hall Building in Baker, Louisiana.

And the Ordinance was declared adopted on this, the 8th day of October 2024 at the regular meeting of the Baker City Council held at the Baker City Hall Building in Baker, Louisiana.

ATTEST:

/s/Angela Canady Wall, LCMC, Clerk of Council

/s/Darnell Waites, Mayor