

ORDINANCE 2024-23

AN ORDINANCE TO AMEND, SUPPLEMENT AND RE-ENACT CITY OF BAKER CODE OF ORDINANCES CHAPTER 22, SECTION 11, Concerning Drainage System and to provide for Other Matters regarding 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 11 shall be Amended, Supplemented and Re-Enacted to read as follows:

“Sec. 22-11. Drainage System.

- (a) Generally.** The developer shall plan all drainage for his subdivision in accordance with the requirements for drainage as set forth by the commission and the city council, or its authorized representative.
- (b) Alteration of existing drainage channels.** No individual, partnership or corporation shall deepen, widen, fill, reroute or change the location of any existing ditch, stream, drain or drainage canal without first obtaining written permission from the city council or its authorized representative. Plans for such deepening, widening, filling, rerouting or changing the location of any existing ditch, stream, drain or drainage canal shall comply with the regulations set up by the city council or its authorized representative, and shall be constructed under the supervision of and be approved by the city council or its authorized representative. Adequate servitudes or rights-of-way shall be dedicated for the construction and maintenance of any channels which may be relocated.
- (c) Servitudes for existing drainage channels.** 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 as determined by the commission and the city council, or its authorized representative, as described in section 22-6(8).
- (d) Disposal of stormwater.** Adequate provisions shall be made for the disposal of stormwater subject to the approval of the commission and the city council, or its authorized representative.
- (e) Contour map and drainage of adjacent areas.** A contour map shall be prepared for the area comprising the subdivision and such additional area as may be required by the commission and the city council, or its authorized representative, necessary to include all watersheds which drain into the property to be developed, provided that this map of the adjacent area may be prepared from USGS data and data in the hands of the city, where such is available. In the design of the drainage for the subdivision, provision must be made to adequately take care of adjacent watershed areas. All drainage structures must be sufficient for the drainage of the adjacent watershed after complete development of the total area, and where ditches and canals are used, adequate servitudes shall be provided for future needs; however, the developer shall be required to dig or to open necessary drains only of sufficient size to cover present drainage needs.

(f) Coordination of off-site drainage. Off-site drainage shall be mutually coordinated by and between the subdivider and the commission. Until further implementation of the policy of providing for off-site drainage, the subdivider shall not be required to provide off-site drainage in excess of that required for development of the particular subdivision area for which approval is sought.

(g) Concrete lining of open drainage channels.

(1) In subdivisions with curb and gutter streets and other areas designated by the commission or city council, four-inch-thick concrete liners meeting the city's standards and regulations shall be installed in those portions of drainage channels which are located within the limits of subdivision development when:

- a. New drainage channels are constructed by the subdivider;**
- b. The subdivision includes existing drainage channels which originate within the limits of the subdivision; or**
- c. The new or existing channel is a continuation of a lined channel immediately upstream from the subdivision.**

(2) Concrete lined drainage channels over four feet deep shall be fenced on both sides with a five-foot-high chain link fence meeting the standards and requirements of the city.

(3) As an alternate to the concrete liners, the subdivider has the option of installing reinforced concrete pipe, or such other pipe as may be approved by the commission. Any pipe approved shall be furnished and installed in accordance with the most current Standard Specifications for Roads and Bridges published by the state department of transportation and development,. Catch basins shall have a maximum spacing of 100 feet and shall be in accordance with the most current edition of Standard Specifications for Roads and Bridges published by the state department of transportation and development.

Double catch basins shall be installed at any low point.

It shall be the responsibility of the subdivider to provide the necessary lot drainage plan, including swale ditches, to adequately drain each lot to a catch basin. The preliminary plans and the construction drawings shall be approved by the commission or its authorized representative, and the city, which reserves the right to alter the required width of servitudes for storm drainage specified in this chapter.”

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