

ORDINANCE 2024-25

AN ORDINANCE TO AMEND, SUPPLEMENT AND RE-ENACT CITY OF BAKER CODE OF ORDINANCES CHAPTER 22, SECTION 15, Concerning Information Required on Final Plat 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 15 shall be Amended, Supplemented and Re-Enacted to read as follows:

“Sec. 22-15. Information Required on Final Plat.

(a) The final plat shall be drawn in ink to a scale of one inch equals 100 feet or less, from an accurate survey, on one or more sheets whose maximum dimensions are 18 inches by 24 inches. In certain instances where the subdivided area is of unusual size or shape, the commission may permit a variation in the scale of size of the final plat. If more than two sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one sheet.

(b) In addition to the information required in section 22-14 for the preliminary plan, the following specific information shall be required on the final plat:

(1) Linear and angular dimensions: All dimensions, both linear and angular, necessary for locating boundaries of subdivisions, lots, streets, alleys, servitudes, easements, building lines or any other areas for public or private use. Linear dimensions shall be expressed in feet and decimals of a foot.

(2) Curve data: Radii, arcs, chords, points of tangency and central angles for all curvilinear streets; and radii for all rounded corners.

(3) Permanent markers and benchmarks: Location and description of all permanent markers; and location, description and elevation of benchmarks, based on mean sea level datum as determined by USGS. Where no recognized benchmark exists, a permanent benchmark shall be established on the property at mean sea level datum and shown on the plat.

(4) Identification of lots: All lot lines, and an identification system for lots and blocks. All individual areas shall be designated by number or letter, and lots in new subdivisions shall be numbered consecutively. No tract or portion of land shall be indicated as "reserved."

(5) Date and scale.

(6) Certification and seal by registered land surveyor: Certification and seal by a registered land surveyor licensed to practice land surveying in the state. Such certification shall be to the effect that the plat is based upon an actual survey made by him and that the distances, courses and angles and all other required survey information are shown correctly, that the monuments have been set and the lot and block corners staked correctly on the ground, and that he has fully complied with the provisions of R.S. 33:5051 et seq., and regulations governing platting of land.

a. All surveying for perimeter, street centerline, property line and control monumentation of a subdivision shall be performed with the precision of a second-order traverse in accordance with ASCE Manual of Engineering Practice Number

10. Technical Procedure for City Surveys.

b. Permanent control monuments, of materials approved by the city, shall be placed at all of the following locations and shown on the final plat: at the corners, control points and angle points around the perimeter or boundary of the subdivision at intervals or locations designated by the city, but spaced no further than 600 feet apart; at all points where the perimeter or boundary of the subdivision intersects street right-of-way lines; at all street corners formed by the intersection of street right-of-way lines (on curved street corners, monuments shall be placed on the right-of-way line at each end of the curve); and on all property lines at the point of curvature and the point of tangency of all horizontal curves.

(7) **Statement of dedication:** Statement signed by the owner to the effect that the streets and rights-of-way are dedicated to the perpetual use of the public for proper purposes, and that all areas shown as servitudes are granted to the public for use of utilities, drainage, removal of septic tank effluent or sewage, or other proper purpose for the general interest of the public.

(8) **Statement regarding sewage disposal:** Statement signed by the owner and subdivider to the effect that no person shall provide or install a method of sewage disposal, except connection to an approved sanitary sewer system, until the method of sewage treatment and disposal has been approved by the parish health unit.

(9) **Restrictions:** Private restrictions, restrictive covenants or trusteeship and their periods of existence to apply to lots in the subdivision, which shall be lettered on the plat and signed by the owner or his agent for recording in the office of the clerk and recorder of the parish. Should such restrictions and trusteeships be of such length as to make the lettering on the plat impracticable, thus necessitating the preparation of a separate instrument, reference to such instrument shall be made on the plat and such copies shall be furnished to the secretary of the commission as he requests.

(10) Accessible servitude maintenance is the responsibility of the homeowner or commercial property owner. This information must be conveyed by the developer, home builder, and/or their authorized agent to the purchaser at the time of sale and must be memorialized on all official conveyance documents and information must be stated on the final plat plan in the notes pertaining to servitude.

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