

**BY COUNCIL MEMBER WELLS (CASE NO. TA-2-20)**

**CITY OF CENTRAL  
ORDINANCE NO. 2020-28**

**AN ORDINANCE AMENDING SECTION 7.13.6. OF THE CITY OF CENTRAL  
DEVELOPMENT CODE**

WHEREAS, Article 7 of the City of Central Code of Ordinances, the Development Code, includes requirements for the construction of streets, including the installation of curb and gutter; and

WHEREAS, from time-to-time, questions and issues have been raised regarding the interpretation and/or application of Section 7.13.6 of the Development Code, specifically regarding whether streets not classified as “major streets” are always required to be constructed with curb and gutter; and

WHEREAS, the City Council believes that the following changes to the Development Code will clarify when curb and gutter is not required to better protect the public health, safety and welfare of the City and its residents; and

WHEREAS, a public hearing was held on August 27, 2020 before the City of Central Planning Commission; and

WHEREAS, the Planning Commission, has recommended approval of the amendment set forth herein.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

Section 1: That Section 7:13.6 (1) of the City of Central Development Code (Title 7 of the City of Central Code of Ordinances) be amended as follows:

- (1) Residential subdivisions. All roadway widths shall be as illustrated in Appendix J. All streets not classified as major streets by the Planning Commission shall be constructed with one of the following and, except where the property location and proposed density allows for construction of streets identified in Appendix J as “Rural Local,” “Rural Street” and “Rural Parkway,” with complete curbing, guttering, and storm drainage:
  - a. With two-inch asphaltic wearing surface on 12-inch soil cement base or better.
  - b. The determination as to the material type and thickness of the pavement and base course will be made by the Department of Public Works based on engineers' recommendations and results of soil analysis in the particular area involved.

- c. Street intersection curb radius returns shall not be less than 25 feet. Those streets designated by the Planning Commission on the major street plan shall be constructed with eight-inch Portland cement concrete pavement with complete curbing, guttering, and storm drainage.
- d. Those streets designated by the Planning Commission on the major street plan shall be constructed with eight-inch Portland cement concrete pavement with complete curbing, guttering, and storm drainage.

Section 2: The specific terms and conditions of this Ordinance shall prevail against other ordinances of the City to the extent that there may be any conflict.

Section 3: Severability. If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

Section 4. Effective Date. This Ordinance shall be effective upon publication.

Introduced before the Council on September 8, 2020.

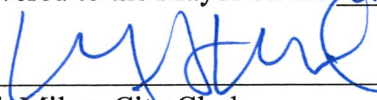
This Ordinance having been submitted to a vote, the vote thereon was as follows:

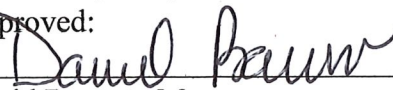
For: Evans, Freneaux, McKinney, Moak, Myer, Roy, Wells  
 Against: None  
 Absent: None

Adopted the 22<sup>nd</sup> day of September, 2020.

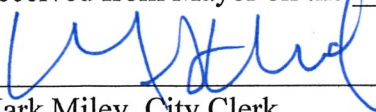
Signed the 25<sup>th</sup> day of September, 2020.

Delivered to the Mayor on the 28<sup>th</sup> day of September, 2020.

  
 \_\_\_\_\_  
 Mark Miley, City Clerk

Approved:  
  
 \_\_\_\_\_  
 David Barrow, Mayor

Received from Mayor on the 29 day of September, 2020:

  
 \_\_\_\_\_  
 Mark Miley, City Clerk

Adopted Ordinance published in *The Advocate* on the 16<sup>th</sup> day of October, 2020  
 4845-6415-3794, v. 2