

WASHINGTON PARISH COUNCIL

ORDINANCE NO. 10-516

Introduced on March 8, 2010
Introduced by Councilman Wheat
Public Hearing on March 31, 2010

**AN ORDINANCE ESTABLISHING THE PROCEDURE
FOR ROADS THAT MEET A PUBLIC NEED/PURPOSE
TO BE RETURNED TO THE WASHINGTON PARISH
ROAD SYSTEM MAINTENANCE LIST**

WHEREAS, the current Washington Parish Road System policy stipulates that any roads on the Parish Road System Inventory and actively being maintained must have a minimum of two (2) residents residing on such road;

WHEREAS, there may be occasions where in equity and in the public interest, the Parish should maintain a road even if there remains only one resident on the road.

THEREFORE BE IT ORDAINED, the minimum resident policy shall be changed to allow a minimum of one (1) resident residing on such road, if such road is determined to be in the best interest of the parish and more importantly the road serves a valid public need or a purpose that, when balanced against a private need or purpose, is predominantly in the public interest rather than the private interest. Use by the general public on a regular and routine basis is a good indicator for a road to be considered for acceptance;

BE IT FURTHER ORDAINED, while it is at the Washington Parish Council's discretion to determine if acceptance of a road or maintenance to be performed meets a public need, the basic process to determine if such road meets the requirements established by the Parish Council follows:

(A) Any road removed from the maintenance list must have been previously maintained by the Washington Parish Government for a period of three (3) consecutive years.

(B) Any road removed from the maintenance list must have remained on the Washington Parish Road System inventory.

(C) Any person or persons in the parish that wishes the Parish Council to accept such a road back onto the Washington Parish Road System maintenance list must submit such request in writing to the Washington Parish Public Works Department.

(D) Upon receipt, the public works director or his/her designee will determine if such road meets the requirements established by the Parish Council and that it does in fact serve a public need; in addition to completing a written report;

(E) The public works director or his/her designee will submit the written request along with a written recommendation to the road committee [copy to council secretary, copy to Councilman of subject road's District(s)] for further review and verification prior to being placed before the Parish Council for consideration.

(F) The act to place a road back onto the Washington Parish Road System maintenance list shall be by resolution at a Regular Public meeting of the Washington Parish Council and

(G) To protect investments made by Washington Parish Government if accepted, such road(s) must remain on inventory for a minimum of three (3) years and if such road is accepted and residents request same road to be removed from parish maintenance before the minimum of three (3) years is met then residents must reimburse parish for cost of materials and labor involved in the maintaining of subject road for time on maintenance list less than three (3) years unless it is deemed prudent by Washington Parish Government to remove the road in the best interest of parish. Since subject road(s) were previously maintained by Parish Government the minimum standard guidelines for new roads as outlined in ORDINANCE 09-482 do not have to be met for acceptance; however, depending on the condition of the road at time of request for acceptance, certain improvements in whole or part as outlined in ORDINANCE 09-482 may be

deemed necessary at the expense of the residents making request before being accepted back onto the Washington Parish Road System maintenance list.

(H) In situations of hardship, or where safety, health or welfare warrants immediate emergency action to bring subject road from the inactive inventory list back into the Washington Parish Road System maintenance list then Sections (C) through (F) above may be bypassed and the authority to place subject road back into the Washington Parish Road System maintenance list remains with the Parish President or by his designation the parish road manager or public works director who will provide written documentation of the emergency action to the road committee [copy to council secretary, copy to Councilman of subject road's District(s) and to parish council.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: (7) Fussell, Nassauer, Johnson, Thomas, Route, Posey and Wheat

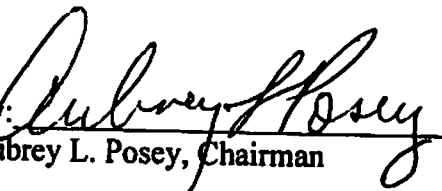
NAYS: (0)

ABSENT: (0)

ABSTAINED: (0)

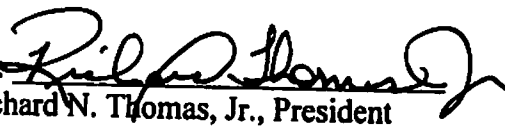
The ordinance was declared adopted on the 31st day of March, 2010.

WASHINGTON PARISH COUNCIL

By: 
Aubrey L. Posey, Chairman

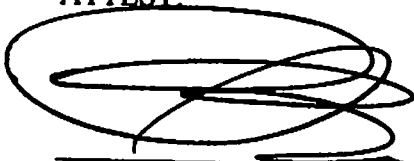
Delivered to the Parish President on the 1st day of April, 2010.

WASHINGTON PARISH GOVERNMENT

By: 
Richard N. Thomas, Jr., President

Returned to the Clerk of the Parish Council on the 1st day of April, 2010

ATTEST:



Sharon Lyons, Clerk to the Parish Council
Washington Parish

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