

**Summary No. 014 OR**

**A PROPOSED UTILITIES ORDINANCE PENDING  
ST. LANDRY PARISH COUNCIL APPROVAL**

**LA R.S. 33:4361(A) sets forth:**

*“Police juries may, subject to any conditions, regulations, and restrictions which they impose, grant franchises or operating system over the public places, roads, streets, and alleys of their respective parishes, not within the limits of any municipality, to any person...”*

**Further, Louisiana statutes describe utilities in LA R.S. 40:1749.12(10) as follows:**

*“‘Underground facility or utility’ means any pipe, conduit, duct, wire, cable, valve, line, fiber optic equipment, or other structure which is buried or placed below ground or submerged for use in connection with storage, conveyance, transmission, or protection of electronic communication system, telephone or telegraph system, or fiber optic, electric energy, oil, natural gas, gas, gases, steam, mixture of gases, petroleum, petroleum products, hazardous or flammable fluids/gases, toxic or corrosive fluids/gases, hazardous fluids/gases, or other substances of like nature or water or water systems, sewer systems, or traffic, drainage control systems, or other items of like nature.”*

**AN ORDINANCE OF THE ST. LANDRY PARISH CODE OF ORDINANCES TO  
ESTABLISH REGULATIONS FOR THE INSTALLATION AND MAINTENANCE  
OF UTILITY LINES**

**Sec. 1. Construction of Utility Conveyances:**

The construction, maintenance, and operation of fiber optic lines, pipelines, cables, telephone lines, etc., for the transmission of electric, current for heat, light, power, telephone, telegraph, cable television or any and all other forms of utility lines as described under LA R.S. 40:1749.12(10), shall be buried at a depth of thirty-six (36”) below the surface of the ground or road.

**Sec. 2. Placement of Utility Conveyances:**

Any and all utility conveyances shall be placed on rights-of-way granted through the franchise only, which franchisee shall be granted by the St. Landry Parish Government.

**Sec. 3. Conveyances placed under roads:**

(A) No utility conveyance shall be placed by any franchisee under any parish road without a permit obtained from the St. Landry Parish Permit Department. The

permit shall be obtained at least thirty (30) days in advance. The public works director or his designee shall inspect the location before any work takes place and after said work is completed; and,

- (B) Any franchisee placing any conveyance under any parish road without a permit obtained from the St. Landry Parish Permit Department shall be subject to fines plus actual damages as listed in Sec. 4 .

**Sec. 4. Liability for damages.**

- (A) Any franchisee causing any damage to any parish road and/or parish property, while constructing, maintaining, or operating any utility conveyance ***with*** a permit obtained from the St. Landry Parish Permit Department shall be liable for the actual cost of damages only; and
- (B) Any franchisee causing any damage to any parish road and/or parish property, while constructing, maintaining, or operating any utility conveyance ***without*** a permit obtained from the St. Landry Parish Permit Department shall be subject to  ***fines plus actual damages***  as follows:
  - (1) First incident/offense/occurrence .....\$ 500<sup>00</sup> plus actual cost of damages.
  - (2) Second incident/offense/occurrence.....\$ 1000.<sup>00</sup> plus actual cost of damages.
- (C) The St. Landry Parish Government, St. Landry Parish Public Works department, any parish drainage district, or any/all other subdivisions of the St. Landry Parish Government shall not be held liable for any damages caused by any franchisee due to constructing, maintaining, or operating any utility conveyance within the specifications of this ordinance.