

By council member Ross

Ordinance No. 2007 - 03

An ordinance requiring maintenance covenants be incorporated into plats of subdivision that create lots on private roads or private servitudes of access.

WHEREAS, due to the rural nature of much of the City, the Planning Commission is regularly presented with plats of subdivision creating lots with private servitudes of access; and

WHEREAS, the maintenance obligations of the property owners who are benefited by such private servitudes of access are not shared. As roadways age and deteriorate, conflicts emerge between neighboring property owners and requests are made to have the City expend funds for the maintenance of private roadways; and

WHEREAS, the City believes that it should be clear that all property owners who benefit from a private servitude of access should be jointly responsible for maintenance of the private roadway;

NOW THEREFORE, be it ordained by the Council of the City of Central, State of Louisiana as follows:

Section 1: Section 13.6 (J) of the Unified Development Code is hereby amended

adding a new paragraph as follows:

“6. When a parcel of land is subdivided into one or more lots and access to any of the newly created lot(s) is (are) provided only over a private road or servitude or access, rather than a public road, the subdivision plat shall contain a covenant providing that **“All lots that use the private road or servitude of access are jointly responsible for the costs to maintain the entire private road or servitude of access created by the subdivision. Each lot’s responsibility shall be pro-rata based upon each lot’s frontage on the private road or servitude of access”.**”

Section 2: Severability. If any provision of this Ordinance, or if the application of the provisions of this Ordinance to a particular property is declared invalid by any court of competent jurisdiction, the other provisions shall remain in full force and effect.

Passed by the Council this 27th day of March, 2007.

Approved by the Mayor this 27th day of March, 2007.

/s/ Shelton “Mac” Watts
Mayor

/s/ Mark Miley
City Clerk