

MINUTES OF THE  
BLANCHARD MAYOR AND TOWN COUNCIL  
REGULAR MEETING – OCTOBER 13, 2015  
7:00 O'CLOCK

**Present:** Mayor Digilormo, Alderpersons Fuller, Guin, Lee, and Whittington, Chief Presswood, Atty. Tom Arceneaux, Lonnie Smith, Perry Fuller, David Yeates, Debra Smith-Town Clerk, and various guests.

**Absent:** Alderperson Umling.

Meeting called to order at 7:00 o'clock by Mayor Digilormo.

Pledge of Allegiance led by Fuller.

Invocation given by Mayor.

**Questions and Statements of Citizens:**

Rachel Fultz spoke for 3 minutes expressing concerns she had. Jeff Fultz spoke for 3 minutes continuing Mrs. Fultz's concerns.

Motion by Lee to approve minutes of the Regular Meeting September 8, 2015. Second by Whittington. All voted yea.

**Old Business**

**Discuss next step in demolition of Caffey house.**

Whittington stated certified letters will be sent to the heirs giving them 30 days to respond directly to Town Hall. If no reply is received from any of them, then the Council will move forward to the next step.

**Create and fill the position of Utility Manager.**

Motion by Guin, second by Lee. All voted yea.

**Filling the positions of Supervisor of the Water Plant and Supervisor of Wastewater/Water Distribution.**

No action required for the position of Supervisor of the Water Plant. Motion by Guin, second by Whittington. All voted yea to eliminate the two assistant positions. Mayor will move the people to the appropriate job titles.

**Public Hearing on Ordinance 8 of 2015- An Ordinance Amending and Restating Chapter 19, Section 23 of the Code of Ordinances of the Town of Blanchard, as Previously revised Pursuant to Ordinance 3 of 2015, and otherwise providing with respect thereto.**

Public Hearing opened 7:14 p.m., there being no comments the hearing closed at 7:15 p.m.

**Vote on Ordinance 8 of 2015- An Ordinance Amending and Restating Chapter 19, Section 23 of the Code of Ordinances of the Town of Blanchard, as Previously revised Pursuant to Ordinance 3 of 2015, and otherwise providing with respect thereto.**

Ordinance 8 of 2015

An Ordinance Amending and Restating Chapter 13, Section 23 of the Code of Ordinances of the Town of Blanchard, as Previously Revised Pursuant to Ordinance 3 of 2015, and otherwise providing with respect thereto.

WHEREAS, on June 9, 2015, the Board of Alderpersons of the Town of Blanchard unanimously passed, adopted and enacted effective of same date Ordinance 3 of 2015, amending Chapter

19, Section 23 of the Code of Ordinances of the Town of Blanchard, adopting new standards for the issuance and administration of the Building Permitting process in the Town of Blanchard, and providing for the enforcement of the Louisiana State Uniform Construction Code.

FURTHER WHEREAS, the Mayor and the Board of Alderpersons of the Town of Blanchard desire to amend, restate and re-enact the newly adopted and enacted Ordinance 3 of 2015 with respect to the issuance of building permits and the enforcement of the Louisiana State Uniform Construction Code.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Board of Alderpersons of the Town of Blanchard, Louisiana, in due and legal session convened, as follows:

SECTION 1: Section 19.23 of the Code of Ordinances of the Town of Blanchard is amended and re-enacted to read as follows:

SECTION 19.23 BUILDING PERMITS

Article 1. DEFINITIONS

As used in this Article, the following terms shall have the meanings ascribed to them below:

“*Applicant*” means any person who applies for a building permit, which persons shall be limited to a homeowner or licensed contractor or agent of either.

“*Application*” means an application for a building permit.

“*Chief Building Official*” (sometimes referenced herein as the “CBO”) shall mean the building code enforcement officer employed or contracted by the Town to enforce the Code, as more fully described in Article 2.

“*Code*” means the Louisiana State Uniform Construction Codes, as adopted by the Town.

“*Code Compliance Certificate*” has the meaning set forth in Article 7.

“*Code Council*” means the Louisiana State Uniform Construction Code Council.

“*Commercial Project*” shall have the meaning given in the Code, and shall include a multi-family development.

“*Inspection Report*” has the meaning set forth in Article 8.

“*Inspector*” means a Third Party Provider inspecting the Project.

“*Inspector’s Completion Certificate*” has the meaning set forth in Article 8.

“*Permit Holder*” means the person awarded a permit pursuant to this Section.

“*Plans*” means the construction plans and other documents detailing the construction specifications to be executed by the contractor or builder, which must meet the following minimum requirements:

- 1) Plans shall be legible and drawn on sheets no smaller than 8” x 11”.
- 2) Plans shall include a site plan in order to comply with the National Flood Insurance Program.
- 3) Plans shall provide substantial evidence of compliance with the Code.
- 4) Foundation plan showing the foundation type, dimensions, spacing, rebar details and all others required by the Code. If the foundation is a post tension slab, a Louisiana Licensed Engineer’s stamped drawing for the slab must be included.
- 5) Floor framing, if utilized, shall show the live loads being supported, size, type, spacing, span, headers, girders, type of sheathing and connection methods.
- 6) Wall framing shall indicate size, type, headers, spacing and span of details, and if utilized, short-wall bracing details must be included.
- 7) Roof framing shall indicate the size, type, spacing and span of the roofing system, including connection methods to wall with type and grade of roof sheathing, and if a truss system is utilized, engineered-stamped truss plans must be included.
- 8) Electrical details shall include the electrical panel box location and amp size, a visual legend location of electrical components and types, and commercial projects will require the calculated electrical loads.
- 9) Mechanical details shall require the location of the supply, return, size and type of HVAC unit.

10) Plumbing details shall indicate the physical location of water heaters, sinks, lavatories, water closets, tubs, showers. Materials used in the drain and vent system shall be indicated with size.

11) Energy compliance shall be indicated by providing the R-Values of the floors, walls and ceiling insulation as required by the Code.

12) Dimensions shall be provided to adequately show compliance with the Code.

*“Plans Examine”* means a Third Party Provider reviewing the Plans and preparing and signing the Plans Review Report.

*“Plans Review Report”* means any writing describing the review of the Plans and certifying compliance with the Code, which form may be supplied by the Town.

*“Project”* means any permitted work.

*“Required Commercial Inspections”* shall mean those inspections listed in Article 7(d).

*“Required Residential Inspections”* shall mean those inspections listed in Article 7(c).

*“Residential Project”* shall have the meaning given in the Code.

*“Third Party Provider”* (sometimes referred to herein as a “TPP”) means any third party provider seeking to provide plans review and/or inspections in the Town who (i) meets the qualifications to perform such services as set forth herein; (ii) does not own any interest in the legal entity constructing the structure on which he seeks to perform a plans review and/or inspections; and (iii) has not received any compensation whatsoever from the contractor of the structure on which he seeks to perform a plans review and/or inspections, other than fees charged for plans review and/or inspections.

*“Town Ordinance”* shall mean any applicable ordinance, guideline or regulation adopted by the Town of Blanchard.

## Article 2. ADMINISTRATION AND ENFORCEMENT

(a) Except as otherwise provided herein, the Mayor or his designee shall administer and enforce this Section.

(b) The Mayor or his designee shall receive Applications for building permits and shall issue building permits behalf of the Town, among the other duties and tasks listed herein. No building permit shall be issued by the Mayor or his designee that does not meet the requirements of this Section. The Mayor or his designee shall keep official records of Applications received, permits and certificates issued, fees collected, reports of inspections (if any), and notices and orders issued, which records shall be retained in the official records for the period required for the retention of public records.

(c) The Town shall either employ a building code enforcement officer or contract with a certified third party provider to act in the capacity of a building code enforcement officer for the Town, either of whom shall be known as the Chief Building Official, to enforce the provisions set forth in the Code and in Town ordinances consistently with the provisions of this Ordinance, as well as handle certain aspects of administration as may be delegated by the Mayor or his designee. The Chief Building Official shall have the necessary certifications and registrations to act in this capacity for the Town. The Town may appoint a deputy Chief Building Official, the related technical officers, inspectors, plan examiners or other contract agents to assist the Chief Building Official with certain duties, all of whom shall have the necessary qualifications to perform the duty for which they are appointed, in the sole discretion of the Town.

(d) In the event that a commercial or residential contractor or homeowner exempted from the contract licensing law under La. R.S. 37:2170 contracts with a Third Party Provider (or “TPP”) to conduct plans review and/or inspections for the Project, the Town will rely on that Third Party Provider to enforce the Code on behalf of the Town, so long as that Third Party Provider meets the requirements and qualifications set forth in this Section. The Town shall not allow a Third Party Provider who does not meet the requirements and qualifications set forth in this Section to perform building plans reviews and inspections on behalf of the Town.

(e)The Town, acting through the Mayor or his designee, is authorized to prevent occupancy or use of a structure where in violation of the Code, or applicable law.

### Article 3. CHIEF BUILDING OFFICIAL

(a) Enforcement. The Chief Building Official is hereby authorized and directed to enforce the provisions of the Code, as adopted by the Town and set forth in Section 19.51, as well as all Town ordinances, guidelines and regulations relating to the construction or work of any Project, on behalf of the Town. In any instance, the Chief Building Official shall have the authority to render interpretations of the Code and to adopt policies and procedures in order to clarify the application of its provisions, all of which shall conform with the intent and purpose of the Code.

(b) Right of entry. In any case where it is necessary to make an inspection to enforce the provisions of the Code (regardless of whether the Chief Building Official or the Third Party Provider is conducting the inspections on behalf of the Town), or where the Chief Building Official, the Mayor or his designee, or the Town has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of the Code which makes the structure or premises unsafe, dangerous or hazardous, the Chief Building Official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by the Code, provided that if such structure or premises is occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Chief Building Official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Chief Building Official may secured entry through any of the remedies provided by law.

(c) Disconnecting Utilities. In the event that some problem or issue is found in the course of making the necessary reviews and inspections of the Project (including any reasonable cause review set forth in Article 3(c)), the Chief Building Official may recommend to the Mayor or his designee that certain or all utilities to the Project or to the premises at which the Project is located be disconnected, until the problem or issue has been rectified to the satisfaction of the Chief Building Official. Upon making its review of the circumstances, the Mayor or his designee may request that the appropriate Town employee or agent take such actions as necessary to disconnect such utilities to the Project or to the premises at which the Project is located.

(d) Liability. The Chief Building Official, while acting on behalf of the Town in good faith and without malice or negligence in the discharge of the duties required by the Code or other pertinent law or ordinance, shall not thereby be rendered personally liable and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against the Chief Building Official because of an act performed by that Chief Building Official in the lawful discharge of duties and under the provisions of the Code shall be defended by legal representative of the Town until the final termination of the proceedings. The Chief Building Official shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of the Code or Town Ordinances or that arises out of the performance of his duties under the Code or the Town Ordinances.

(e) Modifications. Wherever there are practical difficulties involved in carrying out the provisions of the Code, the Chief Building Official shall have the authority to grant modifications for individual cases, provided the Chief Building Official shall first find that special individual reason making the strict letter of the Code impractical and the modification is in compliance with the intent and purpose of the Code and that such modification does not lessen health, life and fire safety requirements or structural soundness. The details of action granting modifications shall be recorded and entered in the Town's official records.

(f) Alternative materials, design and methods of construction and equipment. The provisions of the Code are not intended to prevent the installation of any material or to prohibit any design or

method of construction not specifically prescribed by the code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Chief Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of the Code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the Code. Compliance with the specific performance-based provisions of the Code in lieu of specific requirements of the Code shall also be permitted as an alternate.

(g) Tests. Whenever there is insufficient evidence of compliance with the provisions of the Code, or evidence that a material or method does not conform to the requirements of the Code or in order to substantiate claims for alternative materials or methods, the Chief Building Official shall have the authority to require tests as evidence of compliance to be made at the sole expense of the Applicant. Test methods shall be as specified in the Code or by other recognized test standards. In the absence of recognized and accepted test methods, the Chief Building Official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Town for the period required for retention of public records. All gas utility tests shall be conducted by the local gas utility service provider in order to comply with this ordinance.

(h) Cooperation of Other Officials and Officers. The Chief Building Official may request and shall receive the assistance and cooperation of other city officials so far as is required in the discharge of the duties required by the Code or other pertinent law or ordinance.

#### Article 4. THIRD PARTY PROVIDERS

(a) Qualifications. Any person desiring to provide plans review and inspection services for any Residential Project and/or any Commercial Project is required to meet certain qualifications prior to being approved by the Mayor or his designee as a qualified Third Party Provider, as follows:

1) Submission of completed qualification application, on such form as provided by the Mayor or his designee, which form shall be approved by the Town;

2) Current registration certificate as issued by the Louisiana State Uniform Construction Code Council qualifying that person to perform the particular type of work that such person seeks to perform, and providing evidence thereof to the Town;

3) Current Certificate of Insurance for Professional Liability, including Errors and Omissions coverage, with at least \$500,000 in coverage, also naming the Town of Blanchard as an additional insured, and providing evidence thereof to the Town. These policies shall not be canceled, permitted to expire, or be changed without 30 days notice in advance to the Town; and

4) Payment of an annual fee of \$100.00 to the Town, which is payable on the anniversary of the Third Party Provider's qualification to perform services for either or both Residential Projects or Commercial Projects on behalf of the Town, which fee is necessary to implement and continue the provisions of the Code, applicable Town Ordinances and applicable state law.

A Third Party Provider is required to maintain current evidence with the Town that he or she meets the aforementioned qualifications, and if not, then the Third Party Provider shall be barred immediately from the Third Party Provider's provision of plans review and inspection services within the Town until such evidence of current qualifications is provided by the Third Party Provider.

(b) Enforcement responsibilities.

(i) Code enforcement. A Third Party Provider is authorized and directed to enforce the provisions of the Code and he or she shall not make any deviations from, variations to or interpretations of the Code. If a Third Party Provider encounters a questionable item with respect to the Code, he should contact the Chief Building Official for direction on and/or a resolution of the issue. A Third Party Provider will cooperate with the Chief Building Official, Mayor, Town Clerk and any other city officials so far as is required in the discharge of the duties required by the Code or other pertinent law or ordinance.

(ii) Ordinance enforcement. A Third Party Provider is authorized and directed to enforce all Town ordinances and policies relating to the construction of structures, whether for residential or commercial use. If a Third Party Provider encounters a questionable item with respect to any Town ordinance or policy, he should contact the Mayor, the Town Clerk or any of their designees for assistance, direction and/or a resolution of the issue.

(c) No conflict of interest. A Third Party Provider is only allowed to submit Plan Reviews and conduct Inspections for contractors and home owners in which the Third Party Provider does not have any vested interest, pursuant to La. R.S. 40:1730.23 as amended.

(d) Permit required. A Third Party Provider shall not complete inspections on structures where a Permit has not been issued or is not posted on site at the Project. The Third Party Provider is not authorized to issue any Permits for the Town, nor is the Third Party Provider authorized to issue any Certificate of Occupancy for the Town.

(e) Disconnecting Utilities. In the event that some problem or issue is found in the course of making the necessary reviews and inspections of the Project, the Third Party Provider may recommend to the Mayor or his designee that certain or all utilities to the permitted project be disconnected, until the problem or issue has been rectified to the satisfaction of the Third Party Provider. Upon making its review of the circumstances, the Mayor or his designee may request that the appropriate Town employee or agent take such actions as necessary to disconnect the utilities to the Project.

(f) Violations; suspension. Any failure of a Third Party Provider to comply with this Ordinance or any other guidelines, policies or regulations enacted by the Town, regardless of whether a stop work order is issued or if other action is taken by the Town as a result thereof, will result in a 6 month suspension from providing Third Party Provider services in the Town for the first occurrence of such failure, a 1 year suspension for the second occurrence and a permanent barring from providing Third Party Provider services for the third offense. In addition, such failure of a Third Party Provider will be subject to any applicable penalties as described herein.

#### Article 5. PERMITS

(a) It shall be unlawful to construct, erect, structurally alter, substantially enlarge, substantially renovate, move, or demolish any building or structure, or to cause any such work to be done, whether that work is considered residential or commercial, without obtaining a properly issued permit from the Town for that work. The Town shall also require that a permit be obtained for any work for which a permit is required by state law or the Code. For the purposes of this Section, "substantially enlarge" means any addition over 600 square feet, and "substantially renovate" means to remove and replace 50% or more of the square footage of the current interior of the residential structure.

(b) To obtain a permit, an Applicant or his agent shall first file an Application to the Town Clerk on a form furnished by the Town. Such Application shall include:

- 1) the name, municipal address and phone number of the owner of the land;
- 2) the name, municipal address and phone number of the owner of the building or other improvement, if different;
- 3) the municipal address or legal description of the land on which the proposed building or work is to be done or other description that will readily identify and definitely locate the proposed building or work;
- 4) a description of the work to be covered by the permit for which the Application is being made, including but not limited to square footage, type of construction, and anticipated date of completion of construction;
- 5) indicate the use and occupancy for which the proposed work is intended;
- 6) the valuation of the proposed work;
- 7) the name, municipal address and phone number of any and all contractors;
- 8) the signature of the Applicant or his agent; and
- 9) any other information required by the Mayor or his designee.

- (c) The following items must be submitted with the Application:
- 1) two sets of Plans for the proposed work, as specifically described in Article 1;
  - 2) any fees assessed by the Town for the permit;
  - 3) evidence of current contractor's license or exemption affidavit provided by the Code Council;
  - 4) a Plans Review Report prepared, signed and dated by the Plans Examiner;
  - 5) a Code Compliance Certificate prepared, signed and dated by the Plans Examiner;
  - 6) for commercial permits only, any certifications, letters and licenses issued by any governmental agency or entity and required by the Code or applicable law; and
  - 7) any other items or information required by the Chief Building Official, the Mayor or his designee, or the Town.
- (d) Amendment of Application. In the event that the Applicant or his agent deems it necessary to make an amendment to the Application originally filed with the Town, the Applicant or his agent may provide the supplemental information on a form furnished by the Town. Once filed with the Town, any amendment to the permit shall be considered a part of the permit. The first 3 amendments will be accepted by the Town as part of the original Application, but a charge of \$20.00 may be assessed by the Town to the Applicant or his agent for any amendments thereafter.
- (e) Action on Application. The Mayor or his designee shall examine or cause to be examined Applications for permits and amendments and attachments thereto within a reasonable time after filing to ensure that the Application is completed, that all taxes, fees and charges due to the Town for the permit have been paid in full and that the Plans Examiner has provided a Plans Review Report with required Code Compliance Certificate to the Town (as more fully described in Article 6 hereof). If the Application with all necessary attachments is not complete, the Mayor or his designee shall reject such Application in writing, stating the reasons therefore. If, and only if, the Mayor or his designee are satisfied with the Application and all amendments and/or attachments, the Mayor or his designee shall issue a permit for the proposed work as soon as practicable.
- (f) Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the Code or of any other ordinance of the Town. Permits presuming to give authority to violate or cancel the provisions of the Code or other ordinances of the Town shall not be valid. The issuance of a permit based on the Plans and other data shall not prevent the Mayor or his designee or the Chief Building Official from requiring the correction of errors in the Plans and other data.
- (g) Expiration. Every permit issued shall become invalid unless the Project is commenced within 180 days after its issuance, or if the work authorized by such permit is completely suspended or abandoned for a period of 180 days after the time the work is commenced. The Mayor or his designee is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. It shall be the responsibility of the Chief Building Official or Third Party Provider inspecting the Project to inform the Town of any abandoned Project.
- (h) Suspension or revocation. The Mayor or his designee, whether at the advisement of the Chief Building Official or Third Party Provider or otherwise, is authorized to suspend or revoke a permit issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of the Code.
- (i) Placement of permit. The permit or copy thereof shall be kept on the site of the Project, located or visible at the front exterior of the structure of the Project, until the Project has passed the final inspection.
- (j) Responsibility. It shall be the duty of every person who performs work for the improvements for which a permit was issued, for which the Code is applicable, to comply with the Code.

(k) Records. The Mayor or his designee shall maintain a record of all permits and amendments thereto for the period required for the retention of public records. Any person having a proprietary or tenancy interest in the property for which a permit has been granted may obtain a copy of such permit maintained by the Town for a fee of \$1.00 per page.

#### Article 6. FEES

(a) Determined by resolution. All fees charged by the Town relating to any Permit, plans review, or inspection shall be determined from time to time by the Town through a resolution which shall describe all types of fees, amounts of fees and payees of any fee.

(b) Payments of Fees. All payments should be made in cash, check, or money order, or by credit or debt card, payable as directed by the Town. In the event that any check is returned for insufficient funds, the Town will immediately invalidate the permit and issue a Stop Work Order. The Town may charge a reasonable non-sufficient funds fee and/or take such other course as the Town deems necessary relating to the returned check.

#### Article 7. PLANS REVIEW

(a) Plans. Any construction document within any set of Plans must conform to the Code; however, Plans not required to be prepared by a registered design professional under the Code shall not be required by the Town. Plans shall be drawn upon suitable material, and the submission of Plans by electronic media may be permitted by the Town. Plans shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the Code and relevant Town laws, ordinances, guidelines rules and regulations, as determined by the Town.

(b) Examination of Plans. Any Plans submitted with an Application will be reviewed by a Plans Examiner, who shall submit a signed and dated Plans Review Report with the Plans as part of the Application along with a certificate, the form of which shall be provided by the Town, signed by the party reviewing the Plans, certifying to the Town that the Plans conform in all respects with the Code and all applicable Town ordinances and policies ("Code Compliance Certificate"). If some discrepancy or instance of noncompliance with the Code exists in the Plans, such discrepancy or instance shall be fully documented in the Plans Review Report and shall include resolutions of those issues or revisions to the Plans to remedy the same.

(c) *Intentionally deleted.*

(d) Return of Plans. Once the Plans for any Project have been reviewed and a Plans Review Report with accompanying Code Compliance Certificate has been provided to the Town, one set of Plans reviewed shall be retained by the Town. The other set of Plans shall be returned to the Applicant, and those Plans shall be kept at the Project site for inspection by the Chief Building Official or his or her authorized representative or the Third Party Provider, as applicable.

(e) Amended Plans. Work shall be performed only in accordance with the approved Plans, and any changes made during construction that are not in compliance with the approved Plans shall be resubmitted for approval as an amended set of Plans by the party who prepared and executed the Plans Review Report.

(f) Retention of Plans. The set of approved Plans retained by the Town shall be kept for a period of not less than 180 days from date of the final inspection or the completion of the Project, whichever is later, or as required by applicable law.

#### Article 8. INSPECTIONS

(a) Any Project shall be subject to inspection by an Inspector, and such construction or work shall remain accessible and exposed for inspection purposes until inspected. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of the Code, any Town ordinance, guideline or regulation, or other applicable law. Inspections presuming to give authority to violate or cancel the provisions of the Code, any Town ordinance, guideline, or regulation, or other applicable law shall not be valid. It shall be the duty of the Applicant to cause the work to remain accessible and exposed for inspection purposes. In the

event that any work is not accessible or exposed, the first inspector to realize the lack of accessibility or exposure shall notify the Mayor or his designee of the condition. None of the Chief Building Official, Third Party Provider, or the Town shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

(b) Preliminary inspection. Before issuing a permit, the Mayor or his designee, which may be the Chief Building Official or a Third Party Provider, is authorized to examine or cause to be examined buildings, structures and sites for which an Application has been filed.

(c) Required Residential Inspections. The following inspections are required to be completed for a Residential Project:

(i) Temporary pole.

(ii) Pre-pour mechanical, electrical and plumbing.

(iii) Pre-pour footings and foundation. Inspection of the foundation shall be made after poles or piers are set or trenches or basement areas are excavated and any required forms erected and any required reinforcing steel is in place and supported prior to the placing of concrete. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations.

(iv) Framing. Inspection of framing construction shall be made after all framing and bracing are in place and prior to the approval of the plumbing, mechanical and electrical rough inspections.

(v) Mechanical, electrical and plumbing. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment and before fixtures or appliances are set or installed.

(vi) Insulation.

(vii) Masonry. Inspection of masonry construction shall be made after the plumbing, mechanical, gas and electrical systems and insulation are in place.

(viii) Utility connections. Inspection of Project by the Town to ensure the utility connections made to the Town's utility systems are sufficient and in compliance with the Code and any applicable Town ordinance, guideline or regulation. Any utility connections to systems belonging to any agency or entity other than the Town may be performed by the Inspector.

(ix) Final. Final inspection shall be made by the Chief Building Official after the Project is complete. After the Project has passed the final inspection, the Inspector shall provide a certificate to the Town, on a form promulgated and provided by the Town, that all inspections have been completed, including the final inspection, and that all inspections show that the Project conforms with the Code and any Town ordinance, guideline or regulation. In addition, the Inspector shall provide to the Town the original permit, which has been completed by the Inspector(s) as required.

(d) Required Commercial Inspections. The following inspections are required to be completed for a Commercial Project:

(i) Temporary pole.

(ii) Pre-pour mechanical, electrical and plumbing.

(iii) Pre-pour footings and foundation. Inspection of the foundation shall be made after poles or piers are set or trenches or basement areas are excavated and any required forms erected and any required reinforcing steel is in place and supported prior to the placing of concrete. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations.

(iv) Concrete slab and under-floor. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before

any concrete is placed or floor sheathing installed, including the subfloor.

(v) Framing. Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

(vi) Mechanical, electrical and plumbing. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment and before fixtures or appliances are set or installed.

(vii) Lath and gypsum board. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

(viii) Insulation.

(ix) Masonry. Inspection of masonry construction shall be made after plumbing, mechanical, gas and electrical systems, lath and gypsum board and insulation are in place.

(x) Utility connections. Inspection of Project by the Town to ensure the utility connections made to the Town's utility systems are sufficient and in compliance with the Code and any applicable Town ordinance, guideline or regulation. Any utility connections to systems belonging to any agency or entity other than the Town may be performed by the Inspector.

(xi) Fire-resistant penetrations. Protections of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

(xii) Energy efficiency inspections. Inspections shall be made to determine compliance with the Code and shall specifically include, without limitation, envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency.

(xiii) Final. Final inspection shall be made by the Chief Building Official after the Project is complete. After the Project has passed the final inspection, the Inspector shall provide a certificate to the Town, on a form promulgated and provided by the Town, that all inspections have been completed, including the final inspection, and that all inspections show that the Project conforms with the Code and any Town ordinance, guideline or regulation ("Inspector's Completion Certificate"). In addition, the Inspector shall provide to the Town the original permit, which has been completed by the Inspector(s) as required.

(e) Required Electrical Inspections. For any Project other than a Residential Project consisting entirely of new construction, the Chief Building Official shall perform all inspections for electrical service or repairs, including without limitation any "turn-on" inspections.

(f) Additional Inspections. The Town may make or require any other inspections to ascertain compliance with the Code and other applicable laws enforced by the Chief Building Official.

(g) Inapplicable Inspections. In the event that any of the required inspections set forth in Sections (c) and (d) above are inapplicable to any Project, due to the fact that the Project does not encompass or envision such work as is included in the particular required inspection, the Inspector, in his or her sole discretion, is allowed to forgo that particular inspection for that work that is not included in the Project as long as that the Inspector is able to certify to the Town after the final inspection that the Project and all associated work conform to the Code and any Town ordinance, guideline or regulation. If any of the Town, the Mayor or his designee, or the Chief Building Official believe, for whatever reason, that any inspector is not performing inspections on Projects as required by this ordinance, then that offending inspector may be questioned by any of the Town, the Mayor or his designee, or the Chief Building Official with respect to the inspector's judgment in not performing a required inspection for a Project, and the Town may, but is not obligated to, seek the opinion of an independent Third Party Provider in

this matter. If it is determined that the inspector failed to perform a required inspection without meeting the requirements of this section, then such will be deemed a violation of this ordinance.

(h) Timing of inspections. Certain inspections may be made at the same time. Generally, the foundations inspections, including the pre-pour mechanical, electrical and plumbing inspection and pre-pour footings and foundation inspection, may be made together, and the framing inspection and mechanical and insulation inspection may be made together.

(i) Completion of Any Inspection. Upon completion of any inspection, the Inspector must sign the Permit and provide the Mayor or his designee with an inspection report for the inspection performed ("Inspection Report"), on a form provided by the Town. Failure by any Inspector to sign the Permit shall result in Stop Work order being issued by the Mayor or his designee.

#### Article 9. CERTIFICATE OF OCCUPANCY

(a) Use and occupancy. No building or structure, the construction or other work of which requires a permit, shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Town has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of the code or of other ordinances of the Town.

(b) Certificate issued. After the Chief Building Official has performed the Final Inspection and finds no violations of the provisions of the Code or other applicable laws, he shall approve the Project for issuance of a Certificate of Occupancy and provide evidence of such approval to the Town. Once the Town has in hand the Chief Building Official's approval and the Inspector's Completion Certificate with the original permit, the Town shall then issue a Certificate of Occupancy, signed by the Mayor or his designee, which contains the following:

- 1) The building permit number;
- 2) The address of the structure;
- 3) The name, phone number and address of the owner;
- 4) A description of that portion of the structure for which the certificate is issued;
- 5) A statement that the described portion of the structure has been inspected for compliance with the requirements of the code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified;
- 6) Name, address, and daytime telephone number of any and all contractors;
- 7) The name of the Chief Building Official;
- 8) The edition of the Code under which the permit was issued;
- 9) The use and occupancy of the structure;
- 10) The type of construction;
- 11) The design occupant load;
- 12) If an automatic sprinkler system is provided, whether the sprinkler system is required; and
- 13) Any special stipulations and conditions of the building permit.

(c) Change in use. Changes in the character or use of an existing structure shall not be made except as specified in the Code.

(d) Revocation. The Town is authorized to, in writing, suspend or revoke a Certificate of Occupancy issued under the provisions of the Code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of the Code.

#### Article 10. SERVICE UTILITIES

(a) Connection of service utilities. No person shall make permanent connections from a utility, source of energy, fuel or power to any building or system that is regulated by the Code for which a permit is required, until the utility connection has been inspected and approved as set forth in Section 8. Once the Town has been provided with an executed Code Compliance Certificate, it

will provide a pass sticker to the Inspector for placement on the meter prior to any electrical service connection.

(b) Temporary connection. An Inspector shall have the authority to authorize and approve the temporary connection of the building or structure to the utility, source of energy, fuel or power, as long as the necessary inspection has been made and the same was found to be in compliance with the Code and any Town ordinance, guideline or regulation.

(c) Authority to disconnect service utilities. The Mayor or his designee, at the request of an Inspector, shall have the authority to authorize disconnection of utility service to the building or structure regulated by the Code and any applicable law or standards in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The Inspector shall notify the serving utility and whenever possible the owner and occupant of the building or structure of the decision to disconnect prior to taking such action if not notified prior to disconnection. The owner or occupant of the building or structure shall be notified in writing as soon as practical thereafter.

#### Article 11. VIOLATIONS

(a) Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by the Code, or cause same to be done, in conflict with or in violation of any of the provisions of the Code. It shall further be unlawful for any Chief Building Official, Third Party Provider, person, firm or corporation to violate this Section, or cause same to be done, in conflict with or in violation of any of the provisions of this Section.

(b) Notice of violation. The Mayor or his designee, including without limitation the Chief Building Official or any Town employee, is authorized to serve a notice of violation on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of the Code, or in violation of a detail statement or a plan approved thereunder, or in violation of a Permit or in violation of the provisions of this Section. Such notice shall direct the discontinuance of the illegal action or condition and the complete amelioration of the violation.

(c) Prosecution of violation. If the notice of violation is not complied with in the time given by such notice, the Town may, through the Town attorney, seek to enjoin further construction or work which is required to be permitted under this Section and which construction or work does not have a validly issued permit, or take another other action providing a remedy under the Code or other applicable law, including this Section. Further, the Town may seek to enjoin the occupancy or use of any building or structure which has, without compliance with this chapter, been, in whole or in part, constructed, enlarged, altered, repaired, moved, demolished, or the occupancy changed. Any person, firm or corporation committing such a violation shall be responsible for any and all reasonable attorney's fees incurred by the Town for the prosecution of the violation or any other remedy.

(d) Penalties. Any person, firm or corporation who violates this Section, shall be subject to penalties, as follows:

1) Any person, firm or corporation who erects, constructs, alters or repairs a building or structure without obtaining a Permit, shall be required to pay any fees that would have been generated by permitting, which fees shall be subject to a penalty of an additional 50% for any fees paid. Payment of these fees is required regardless of the stage of construction.

2) Pay a fine to the Town for each violation, as follows:

VIOLATION	EACH OFFENSE
Violation of the Code, directive of the Chief Building Official, the Permit or this Section	\$100
Conducting inspections on building or structure not	\$250

permitted	
Failure to file any Plans Review Report	\$50
Issuance of any stop work order	\$100

Article 12. STOP WORK ORDER

(a) Issuance of order. Upon notice from the Chief Building Official or any Third Party Provider, as applicable, to the Town that work on any Project is being prosecuted contrary to the provisions of the Code or in an unsafe and dangerous manner, such work shall be immediately stopped by the Permit Holder and any contractors, subcontractors and/or other workers. The stop work order shall be issued by the Mayor or his designee in writing and shall be given to the owner of the property involved, or to the owner’s agent or to the person doing the work and shall state the conditions under which work on the Project may resume.

(b) Unlawful continuance. Any person who continues any work in or around the Project after the property owner or his agent has been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

(c) Enforcement. The Town may take such measures as it deems necessary, and shall use such resources at its disposal, to enforce the stop work order.

SECTION 2: If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

SECTION 3: All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall become effective on October 14, 2015.

Said Ordinance having been introduced on the 8<sup>th</sup> day of September, 2015, by Whittington, notice of a public hearing having been published, said public hearing having been held, the title having been read and the Ordinance considered, on motion of Whittington, seconded by Lee to adopt the ordinance, a roll call vote was taken and the following was had:

YEAS: Fuller, Guin, Lee, and Whittington.

NAYS: None.

ABSENT: Umling.

ABSTAIN: None.

Fuller amended his vote from Yea to Nay.

And Ordinance 8 of 2015 was adopted this 13<sup>th</sup> day of October 2015.

**Adopt Resolution 10 of 2015-Resolution approving fees relating to the permits, plans review, and inspections of residential and commercial buildings, structures, and improvements, and otherwise providing with respect thereto.**

Resolution 10 of 2015

A Resolution approving the fees relating to the Permits, Plans Review and Inspections of Residential and Commercial Buildings, Structures and Improvements, and otherwise providing with respect thereto.

WHEREAS, the Board of Alderpersons of the Town of Blanchard have passed Ordinance 8 of 2015 modifying the current rules and regulations with respect to the issuance of building permits and the enforcement of the Louisiana State Uniform Construction Code, as adopted by the

Town, by amending certain provisions of Chapter 19, Section 23 of the Code of Ordinances; and

WHEREAS, that the provisions of the newly amended Chapter 19, Section 23 of the Code of Ordinances set forth in Ordinance 8 of 2015 requires the Board of Alderpersons to determine the fees charged by the Town relating to the issuance of any building permit and performance of any plans review or inspection, which resolution shall describe all types of fees, amounts of fees and payees of any fee.

NOW, THEREFORE, BE IT RESOLVED by the Board of Alderpersons of the Town, that the following fees relating to the issuance of any building permit and performance of any plans review or inspection shall be as follows:

(a) Fees Remitted to Town Relating to Residential Projects.

<i>Fee Description</i>	<i>Amount</i>	<i>Payable to</i>
Permit Fee	Twelve cents (\$0.12) per square foot under roof, with a maximum Permit Fee \$500.00; <i>provided, however,</i> that if the Project does not have a roof or is incapable of calculation per square foot, then the Permit Fee shall be \$250.00	Town
Administrative Fee	For any Residential Project: \$150	Town
Electrical Inspection Fee	For each electrical inspection performed by CBO: \$65.00	Town

(b) Fees Relating to Commercial Projects.

<i>Fee Description</i>	<i>Amount</i>	<i>Payable to</i>
Permit Fee – single structure	Twelve cents (\$0.12) per square foot under roof, with a maximum Permit Fee \$500.00; <i>provided, however,</i> that if the Project does not have a roof or is incapable of calculation per square foot, then the Permit Fee shall be \$250.00	Town
Permit Fee – multi-family development	For a multi-family development, defined herein as a development of at least two buildings each comprised of two or more residential units, the Permit Fee shall be Five Hundred & NO/100 Dollars (\$500.00) for the first building and One Hundred & NO/100 Dollars (\$100.00) for each building thereafter	Town
Administrative Fee	For any Commercial Project: \$300	Town
Electrical Inspection Fee	For each electrical inspection performed by CBO: \$65.00	Town

BE IT FURTHER RESOLVED that if any provision or item of this Resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Resolution that can be given effect without the invalid provisions, items or applications and to this end the provisions of this Resolution are hereby declared severable.

BE IT FURTHER RESOLVED that any resolutions or parts hereof in conflict herewith are hereby repealed.

Motion to accept Resolution 10 of 2015 made by Whittington, second by Guin.

YEAS: Guin, Lee, and Whittington.

NAYS: Fuller.

ABSENT: Umling

ABSTAIN: None.

And Resolution 10 of 2015 was adopted on this 13<sup>th</sup> day of October, 2015.

**Adopt Resolution 11 of 2015 - A resolution addressing engineering aspects of the proposed FY 2016-FY 2017 Louisiana Community Development Block Grant Project.**

Resolution 11 of 2015

A Resolution Addressing Engineering Aspects of the Proposed FY 2016 - FY 2017 Louisiana Community Development Block Grant Project

WHEREAS, the Town of Blanchard is desirous of submitting an application to the State of Louisiana, Division of Administration for funding under the FY 2016 - FY 2017 LCDBG program for public improvements; and

WHEREAS, it is necessary to pay all engineering costs associated with the implementation of the LCDBG program to receive one bonus point, should funding become available;

NOW, THEREFORE BE IT RESOLVED that the Town of Blanchard has hired the engineering firm of Balar Associates, Inc. to provide engineering services relative to the LCDBG program. All engineering fees are established in the LCDBG application and are contingent upon funding of the project by the State of Louisiana, Division of Administration under the FY 2016 or the FY 2017 LCDBG program.

BE IT FURTHER RESOLVED that the Town of Blanchard has agreed to utilize local funds to pay all engineering costs associated with the preparation and implementation of the FY 2016 - FY 2017 LCDBG program.

Motion to accept Resolution 11 of 2015 made by Whittington, second by Lee. All voted yea.

And Resolution 11 of 2015 was adopted on this 13<sup>th</sup> day of October, 2015.

**Adopt Resolution 12 of 2015 – A Resolution addressing administrative aspects of the proposed FY 2016-FY 2017 Louisiana Community Development Block Grant Project.**

Resolution 12 of 2015

A Resolution Addressing Administrative Aspects of the Proposed FY 2016 - FY 2017 Louisiana Community Development Block Grant Project

WHEREAS, the Town of Blanchard is desirous of submitting an application to the State of Louisiana, Division of Administration for funding under the FY 2016 - FY 2017 LCDBG program for public improvements; and

WHEREAS, it is necessary to pay all administrative costs associated with the implementation of the LCDBG program to receive one bonus point, should funding become available;

NOW, THEREFORE BE IT RESOLVED that the Town of Blanchard has hired the administrative and engineering firms of GNF Management Company, Inc. and Balar Associates, Inc. to assist in the preparation of said application for the fees of \$1,400.00 and \$1,500.00, respectively. An additional fee of \$35,000.00 will be paid to the administrative firm of GNF Management Company, Inc., for subsequent program administration of the LCDBG program. All fees are

contingent upon funding of the project by the State of Louisiana, Division of Administration under the FY 2016 or the FY 2017 LCDBG program.

BE IT FURTHER RESOLVED that the Town of Blanchard has agreed to utilize local funds to pay the above contract amount and all other administrative costs associated with the preparation and implementation of the FY 2016 - FY 2017 LCDBG program.

Motion to accept Resolution 12 of 2015 made by Whittington, second by Guin. All voted yea. And Resolution 12 of 2015 was adopted on this 13<sup>th</sup> day of October, 2015.

### **New Business**

#### **Beechwood Hills and Sand Hill to be one-way for Halloween night-motion and vote.**

Motion by Whittington, second by Fuller to have Beechwood Hills and Sand Hill to be one-way for Halloween night. It will start when necessary and continuing until no longer necessary since it is hard to have a set time the kids will be going door to door. All voted yea.

#### **Need to change the spelling of appointed members for the Economic and Zoning Board: Randall Lyles to Randall Liles; Linda Brooks to Linda (Brooks) Christianson.**

Motion by Whittington, second by Fuller to correct the spelling of Mr. Liles and Ms. Christianson. All voted yea.

#### **Introduce Ordinance 10 of 2015-An Ordinance to Repeal Ordinance 2 of 1981 and Chapter 7 of the Code of Ordinances, Prohibiting the Sale of Alcoholic Beverages, and otherwise providing with respect thereto.**

Lee introduced the following ordinance by title to be voted on at the Regular Council Meeting scheduled for November 10, 2015, at 7:00 p.m.:

#### Ordinance 10 of 2015

An Ordinance to Repeal Ordinance 2 of 1981 and Chapter 7 of the Code of Ordinances, Prohibiting the Sale of Alcoholic Beverages, and otherwise providing with respect thereto.

### **Report of Departments**

#### **Buildings and Grounds**

Umling absent-Mayor stated he noticed new fence and new boards on the backboard at the tennis court.

#### **Streets and Rights of Way**

Whittington-people have probably seen the ongoing overlay program and if there are any complaints, contact him.

#### **Water Department**

Fuller-finally have a good decision on the sludge issue and working on prices for same.

#### **Sewer Department**

Guin-there was a misunderstanding on the department re-alignment but it is worked out now.

#### **Police Department**

Chief-back to full staff again..

#### **Treasurer Report**

Lee-she researched the situation where two checks were written for the same bill to *The Inquisitor*. The invoices did not look anything alike and that is why it was paid twice. Lee also decided to make a new Accounts Payable Policy effective October 14, 2015. Bills will only be paid to vendors that provide BOTH Invoices and Statements. If only a Statement is received, the bill will NOT BE PAID.

**Comments by the Mayor**

None. Motion by Whittington to adjourn, second by Guin. All voted yea. Meeting adjourned 7:38 p.m.

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Johnny Digilormo, Mayor

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Debra Smith, Town Clerk