

CHAPTER 19

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ARTICLE A

SUBDIVISION REGULATION

SECTION 19.1 "UTILITY" DEFINED.

The term "utility" as used herein, shall be limited to water supply and distribution systems, sanitary sewerage systems and street lighting.

SECTION 19.2 APPLICABILITY TO DEVELOPMENTS USING MUNICIPAL UTILITIES.

Any development utilizing any portion of the municipal utility systems shall be included within the scope of the requirements of this article insofar as the particular utility and/or utilities involved are concerned.

SECTION 19.3 PLAT APPROVAL REQUIRED.

Any person desiring to sub-divide a tract of land within the corporate limits, or to be included therein, shall submit a plat and map of the subdivision to the board to be approved by it before same shall be filed for record in the records of the parish. Any person who shall file or cause to be filed for record in the office of the recorder of deeds for the parish, any plat or subdivision which by provisions of this article shall require the approval of the board, without approval being first obtained, shall be guilty of a misdemeanor.

SECTION 19.4 PLANS AND SPECIFICATIONS REQUIRED: APPROVAL.

Prior to the construction of any real estate development involving public street improvements and /or public utility improvements whether located within the existing limits of the municipality or whether located adjacent to the municipality and planned to be included within the limits of the municipality at some future date, the developer of the development shall submit complete plans and specifications, covering the proposed work to the municipality for its check and/or approval of engineering design, construction materials, lines and grades; if the data, as submitted is not approved, then the data shall be modified, as required by the municipality; and resubmitted for further check and/or approval. The plan as submitted shall contain a record that said developer has placed or has caused to be placed street lighting meeting the following specifications:

- a) The bulb or other illuminating device of each street light shall contain no less than 175 watts, and the distance between each street light shall be not less than 200 feet nor more than 300 feet, measured in a straight line from one light to another.

(Adopted April 10, 2012 – Ordinance 2 of 2012)

SECTION 19.5 INSPECTIONS AUTHORIZED

During the construction of any development, the municipality, through its engineer, shall have the right and shall inspect all phases of the construction operations, including material and construction methods used, to the extent necessary to assure compliance with the plans and specifications as submitted and approved.

SECTION 19.6 REVIEW OF DEVELOPMENT PLANS

(a) Prior to the construction of any real estate development as described in this Section, the Developer shall either

1) pay the municipality a fee, to be set by resolution of the Mayor and Board of Alderpersons of the Town of Blanchard, for review of all plans and specifications of any real estate development to ensure compliance with applicable law and ordinances; or

2) employ a Third Party Engineer meeting the requirements and qualifications set forth in this Section to perform the review of the plans and specifications of the real estate development to ensure compliance with all applicable federal, state and local laws, regulations and ordinances (collectively, the “Applicable Laws and Regulations”), which review shall be performed in accordance with the provisions of this Section.

(b) Third Party Engineer Qualifications. Any licensed professional engineer desiring to provide plans review services for any real estate development must be approved by the Town as a Third Party Engineer, by submitting the following items and information to the Town on an annual basis:

- 1) Completion of Third Party Engineer Application, which application shall provide pertinent information about the Third Party Engineer including without limitation name, contact information, certifications, and a certificate that the engineer maintains an office in Caddo Parish or Bossier Parish;
- 2) Current certificate that he or she is a Professional Engineer licensed and in good standing in the State of Louisiana;
- 3) Current Certificate of Insurance for Professional Liability, including Errors and Omissions coverage, with at least \$500,000.00 in coverage, also naming the Town of Blanchard as an additional insured. 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 Third Party Engineering Fee of \$150.00.

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

(c) Plans Review Report. Any Plans Review Report submitted to the Town by a Third Party Engineer must be attached to the real estate development plans, and must be certified, stamped, signed and dated by the Third Party Engineer who conducted the review. The Town may, but is not obligated to, provide and require a form of Plans Review Report and/or a checklist for any Plans Review Report, approved by the Board of Alderpersons of the Town. At minimum, the Plans Review Report must:

- 1) Show that the Plans are in substantial compliance with the Applicable Laws and Regulations;

- 2) Include an assessment of the typography of real estate development, and a statement that this factor was properly included in all design specifications, where necessary;
- 3) Include an assessment of the impact of the real estate development on the Town's utility system over the life of the real estate development;
- 4) Attach any required approval letters from any state agency including without limitation the Louisiana Department of Health and Hospitals ("DHH") and the Louisiana Department of Environmental Quality ("DEQ");
- 5) If some discrepancy or instance of noncompliance with the Applicable Laws exists in the development plans, such discrepancy or instance shall be fully documented in the Plans Review Report and shall include resolutions or revisions to the development plans to remedy the same.

(d) Enforcement Responsibilities. The Third Party Engineer is authorized and directed to enforce the provisions of any Applicable Laws and Regulations, and he or she shall not make any deviations from, variations to or interpretations of the Applicable Laws and Regulations.

(e) Submission and Approval. Any Plans Review Report submitted to the Town will be reviewed by the Town or any of its designees, and shall be approved by the Town prior to any work on the property or any permitting for construction on any portion of the property.

(f) Independent Review. The Third Party Engineer is only allowed to review development plans for developers, sub-dividers and contractors of which the Third Party Engineer has no affiliation or interest whatsoever. Further, no Third Party Engineer is allowed to perform a development plans review of plans and specifications for a real estate development prepared by that Third Party Engineer.

(g) Compliance. Any failure of a Third Party Engineer to comply with this ordinance, will result in a 6 month suspension from providing development plans review 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 development plans review services for the third offense. In addition, such failure of a Third Party Engineer will be subject to any applicable penalties as described herein.

(h) Violations. It shall be unlawful for any Third Party Engineer, person or firm to violate any provision of this Section, or cause the same to be done, and if any violation occurs, in addition to any other remedy available under this Section or at law, that Third Party Engineer, person or firm violating this Section shall be required to pay a fine to the Town for each instance of any violation, which fines shall be set from time to time by resolution of the Mayor and the Board of Alderpersons, in their sole discretion.

(i) Definitions. The words below are defined as follows (whether or not such is capitalized):

- 1) “Applicable Laws and Regulations” has the meaning provided in Section 19(a) hereof.
- 2) “Development” means any real estate subdivision development located within the existing limits of the Town or located adjacent to the Town and planned to be included within the Town limits at some future date.
- 3) “Plans” means the plans and specifications detailing the proposed work in connection with the Development.
- 4) “Plans Review Report” means the documentation submitted by a Third Party Engineer to demonstrate conformity with all Applicable Laws and Regulations.
- 5) “Third Party Engineer” means any licensed professional engineer qualified to review real estate development plans in the Town.
(Adopted April 8, 2014 – Ordinance 3 of 2014).

SECTION 19.7 DUTY TO REMOVE RUBBISH

Upon completion of work by the developer, he shall remove all his rubbish from about the buildings and streets and shall leave his development “broom clean” or its equivalent.

SECTION 19.8 INSPECTIONS

After the approval of plans and specifications for such real estate development by the Town as set forth in this Article, the developer of the real estate development may commence the construction of the improvements set forth in the plans and specifications approved by the Town. Any improvements constructed in connection with the real estate development shall be inspected by the Town or its designee to ensure that the improvements were constructed in accordance with the approved plans and specifications. The developer of the real estate development shall pay the Town a fee, which fee shall be set by resolution of the Mayor and Board of Alderpersons of the Town, for inspections performed by the Town or its designee in connection with this Section.

(Adopted April 8, 2014 – Ordinance 3 of 2014)

ARTICLE B

ZONING

SECTION 19.11 SHORT TITLE

This article shall be known and may be cited as the “Zoning Ordinance” of the Town of Blanchard.

SECTION 19.12 INTERPRETATION, PURPOSE

Section 19.12 of the Code of Ordinances of the Town of Blanchard is hereby repealed.
(Ordinance 4 of 2015 – Adopted June 9, 2015)

SECTION 19.13 EFFECT ON OTHER REGULATIONS

It is not intended by this article to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this article, or with private restrictions placed upon property by covenant, deed, or other private agreement, or with restrictive covenants running with the land to which the municipality is a party. Where this article imposes a greater restriction upon land, buildings or structures than is imposed or required by existing provisions of law, ordinance, contract or deed, the provisions of this article shall control.

SECTION 19.14 MUNICIPALITY TO BE DIVIDED INTO DISTRICTS:

(1) Use districts established. For the purposes of this article, the municipality is hereby divided into use districts.

(2) Maps and boundaries. The boundaries of these districts are hereby established as shown on a map entitled “The Zoning Map of the Town of Blanchard” on file in the municipal hall, which map, with all explanatory matter thereon, shall be deemed to accompany, be and is hereby made a part of this article.

SECTION 19.15 INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the zoning map, the following rules shall apply:

(1) Property annexed. In every case where property has become a part of the municipality by annexation, the property shall automatically be classed as lying and being in the “residential” district until the classifications shall have been changed by an amendment to this article, as provided by law.

(2) Vacation of public ways. Whenever any street, alley, or other public way is vacated in the manner authorized by law, the zoning district adjoining each side of the street, alley, or public way shall be automatically extended to the center of the vacation and all area included in the vacation shall then and henceforth be subject to all regulations of the extended district.

(3) Through (9) reserved

SECTION 19.16 APPLICATION OF REGULATIONS

Except as provided in this article:

(1) Conformity of buildings and land. No building, structure or premises shall be used or occupied, and no building or part thereof or other structure shall be erected, raised, moved, placed, reconstructed, extended, enlarged, or altered except in conformity with the regulations herein specified for the district, as shown on the official map, in which it is located.

(2) Conformity of open spaces. No yard, court or open space or part thereof, shall be included as a part of the yard, court or open space similarly required for any other building, structure or dwelling under this article

(3) Mobile homes and mobile home parks. Original characterization of mobile homes shall remain as the permanent characterization and shall not be a permissible use, nor shall same

be considered nor accepted as a building, office, professional office, retail store, light commercial establishment, a dwelling nor a residence, unless same is specifically allowed and set for by name of definition, or otherwise designated or authorized by the Zoning Committee.

Ordinance section (3) revised September 16, 1991.

(4) Multi-Family Dwellings. Multi-family dwellings shall not be a permissible use, nor shall same be considered nor accepted as a office, professional office, retail store, light commercial nor commercial establishment, a dwelling, nor a residence, unless same is specifically allowed and set for by name of definition.

SECTION 19.17 NONCONFORMING USES.

The lawful use of any building, structure or land existing at the time of the enactment of this article may be continued, although the use does not conform with the provisions of this article, provided the following conditions are met:

(1) Unsafe structures. Nothing in this article shall prevent the strengthening or restoring to a safe condition of any portion of a building structure declared unsafe by a proper authority.

(2) Alterations. A nonconforming building or structure may be altered, improved or restructured, provided the work is not to an extent exceeding an aggregate cost ten (10%) per cent of the value of the building or structure, unless the building or structure is changed to a conforming used.

(3) Extension. A nonconforming use shall not be extended, but the extension of a lawful use to any portion of a nonconforming building or structure which existed prior to the enactment of this article shall not be deemed the extension of the nonconforming use.

(4) Changes. No nonconforming building, structure, or use shall be changed to another nonconforming use.

(5) Construction approved prior to this article. Nothing herein contained shall require any change in plans, construction or designed use of a building or structure for which a building permit has been issued and the construction of which shall have been diligently prosecuted within one (1) month of the date of the permit.

(6) Restoration. Nothing in this article shall prevent the reconstruction, repairing, rebuilding, and continued use of any nonconforming building or structure damaged by fire, collapse, explosion, or act of God subsequent to the date of this article, wherein the expense of such work does not exceed 50% of the value of the building or structure at the time the damage occurred.

(7) Wear and tear. Nothing in this article shall prevent the reconstruction, repairing or rebuilding of a nonconforming building structure or part thereof existing at the effective date of this article, rendered necessary by wear and tear, deterioration or depreciation, provided the cost of the work shall not exceed 10% of the value of the building or structure at the time the work is done nor prevent compliance with the provisions of the building code relative to the maintenance of buildings or structures.

(8) Abandonment. A nonconforming use of a building or premises which has been abandoned shall not thereafter be returned to the nonconforming use. A nonconforming use shall be considered abandoned:

- a) when the intent of the owner to discontinue the use is apparent, or

- b) when the characteristic equipment and the furnishings of the nonconforming use have been removed from the premises and have not been replaced by similar equipment within one (1) year, unless other facts show intention to resume the nonconforming use, or
- c) when the building remains vacant for 12 consecutive calendar months, or
- d) when it has been replaced by a conforming use, or
- e) when it has been changed to another use under permit from the board, or
- f) when nonconforming property is sold or rented

(9) Displacement. No nonconforming use shall be extended to displace a conforming use.

(10) Unlawful use not authorized. Nothing in this article shall be interpreted as authorization for or approval of the continuance of the use of a structure or premises in violation of zoning regulations in effect at the time of the effective date of this article.

(11) District changes. Whenever the boundaries of a district shall be changed so as to transfer an area from one (1) district to another district of a different classification, the foregoing provisions shall also apply to any nonconforming uses existing therein.

SECTION 19.18 DISTRICTS ESTABLISHED

The municipality is hereby divided into three (3) use districts, which shall be known, in the order of restrictiveness, beginning with the most restrictive as:

- (1) Residence districts
- (2) Public use districts
- (3) Commercial/Industrial districts

SECTION 19.19 RESIDENCE DISTRICT DESCRIPTION AND PERMITTED USES.

(a) Residential district shall be divided into four (4) classes.

- I. Permanent One Family Residential (R/P)
- II. Mobile Home Residential (R/O)
- III. Residential Agricultural (R/A)
- IV. Other Residential (R/M)

(b) In the R/P district, no building or premises shall be used and no building shall be hereafter erected or structurally altered, unless otherwise provided in this article, except for one or more of the following uses:

- (1) One family dwelling
- (2) Accessory buildings, including private garages
- (3) Hair styling centers, when located in private residence
- (4) Golf courses, parks, or playgrounds. **(4) Adopted September 9, 2014 – Ordinance 9 of 2014).**

(c) No mobile home or house trailer shall be temporarily or permanently located on any property classified as R/P, except that a motor home or a travel trailer (less than 30 feet in length) may be parked on the premises, but may not be utilized as a dwelling facility thereon.

(d) In the R/O district, no building or premises shall be used and no building shall be hereafter erected or structurally altered unless otherwise provided in this article, except for one

or more of the following uses, and in the event a district has been reclassified from R/P to R/O, the abandonment of the use of any mobile home or premise reclassified for the purpose shall make the reclassification null and void as though never ordained and shall revert the use of the premises to residential district and the use of the premises shall be bound thereby. Party who petitions for any zone change to (R/O) district must occupy premises within 90 days from approval date or reclassification shall be considered null and void as though never ordained and shall revert the use of the premises to original zoned district and be bound thereby.

- (1) Mobile Home One family dwelling
- (2) Permanent One family dwellings
- (3) Accessory buildings to the above uses.

(e) In the R/A district, which is composed of principally undeveloped or un-subdivided lands that are vacant or in agricultural or forestry uses with some dwellings or dwellings or accessory uses, the following uses are permitted:

- (1) Agricultural use, farming or dairy operations, livestock raising
- (2) One-family dwellings
- (3) Mobile home dwellings, but mobile home parks or subdivisions shall not be permitted.

(f) In the R/M district, no building or premises shall be used and no building shall be hereafter erected or structurally altered unless otherwise provided in this article, except for one or more of the following uses. Should the owner of any property, so classified desire to build or construct a home, house, apartment or building, it shall be built subject to the minimum dimensions of front, rear and side yards, provided for in Section 19.22.

- (1). Dwellings for more than one family, i.e. duplex or fourplex
- (2) Apartments or other multi-family dwellings
- (3) Permanent one-family dwellings
- (4) Accessory buildings to the above uses.

SECTION 19.20 PUBLIC USE

Public use shall be defined as a use maintained, controlled or operated by a public agency and municipal and public utility uses:

- (1) Churches
- (2) Public or private schools
- (3) Museums, libraries, parks, playgrounds, other recreational uses and community centers owned and operated by a public agency
- (4) Municipal utility uses such as water works, fire stations, sewers systems and Town Hall

SECTION 19.21 COMMERCIAL/INDUSTRIAL DISTRICT DESCRIPTION AND PERMITTED USES.

(1) Light Commercial:

(a) In “light commercial” the following shall be included the following uses:

- (1) Professional offices
- (2) Retail stores (including those with gasoline dispensing facilities as adjunct to a grocery or convenience type

- store operation)
(3) Permanent one-family dwellings and accessory building to the above uses

(2) Commercial Industrial:

- (b) In “commercial industrial” the following shall be included the following uses:

- (1) All other commercial uses including service stations, garages for auto repair
- (2) Industrial uses
- (3) Permanent one-family dwellings and accessory buildings to the above uses

(c) In the light commercial district, all buildings and premises except as otherwise provided in this article, shall only be used for the purpose specified in reclassifying the property as commercial, and the abandonment of the use of any building or premise reclassified from R/P district for the purpose shall make the reclassification null and void as through never ordained and shall revert the use of the premises to residential district and the use of the premises shall be bound thereby.

(d) Any property that shall be reclassified from residential district to light commercial or industrial district, may be used for commercial purposes and in any event, should the owner of any property so reclassified desire to build or construct a home, house or building, it shall be built subject to the minimum dimensions of front, rear and side yards, provided for in Section 19.22.

(e) Due to safety, fire protection, etc., an individual study is necessary where commercial or industrial commercial buildings or structures are planned; construction shall be made only after zone committee consideration of front, side and rear yard dimensions and approved by the town council.

(f) The Mayor and Board of Aldermen may, from time to time, and without the necessity of amending this article, establish the form of the petition required herein for reclassification, including the form and manner of presentation and any and all acts deemed necessary for the efficient administration of a petition for reclassification.

SECTION 19.22 YARDS IN RESIDENCE DISTRICTS

In the residence district, the minimum dimensions of yards shall be as follows:

FRONT YARD. There shall be front yard of not less than 25 feet to the front line of the building.

REAR YARD. There shall be a rear yard having a depth of not less than 30 feet.

SIDE YARD. There shall be two (2) side yards, one on each side of the main building, neither of which shall be less than ten (10) feet.

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 Examiner” 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.

Resolution 10 of 2015, adopted October 13, 2015.

(b) Payments of Fees. All payments should be made in cash, check, or money order, or by credit or debit 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
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Violation of the Code, directive of the Chief Building Official, the Permit or this Section	\$100
Conducting inspections on building or structure not permitted	\$250
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.

Ordinance 3 of 2015, adopted June 9, 2015.

Ordinance 8 of 2015 adopted October 13, 2015, amends Ordinance 3 of 2015.

SECTION 19.24 ZONING HEARINGS

(a) All inquiries and requests for the modification, amendment, supplement or change in the boundaries, restrictions and/or regulations prescribed for any zoning district, zone or part thereof shall be submitted directly to the Economic Development and Zoning Board of the Town of Blanchard on such application as may be provided by the Town of Blanchard, as approved by the Board of Alderpersons.

(b) Each zoning application shall be accompanied by payment of the fees assessed by the Town in connection with the zoning application, which fees shall be determined from time to time by the Town through a resolution approved by the Board of Alderpersons setting forth the

types and amounts of any fees. All payments should be made in cash, check, or money order, or by credit or debit card, payable as directed by the Town. 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.

(c) Within a reasonable number of days after receiving a zoning application, the Economic Development and Zoning Board shall hold a properly noticed meeting at which a quorum is present to hold a public hearing on the zoning application. Notice of the time and place of the hearing shall be published in the official journal of the municipality once a week for three consecutive weeks with a lapse of at least fifteen days between the first publication and the date of the hearing. At the public hearing, the Economic Development and Zoning Board shall consider the following factors in determining the recommendations it makes to the Mayor and Board of Alderpersons:

- (1) Lessening the congestion in public streets;
- (2) Securing safety from fire;
- (3) Promoting health and general welfare;
- (4) Providing adequate light and air;
- (5) Avoiding undue concentration of population;
- (6) Facilitating adequate transportation, water supply, sewerage, schools, parks, and other public requirements;
- (7) Reasonable consideration of the character of the district and its suitability for particular uses; and
- (8) Reasonable consideration with a view to conserving the value of the buildings and encouraging the most appropriate use of land throughout the municipality.

(d) After a public hearing, the Economic Development and Zoning Board may reach a conclusion for recommendation immediately or may take the matter under advisement; however, in either case, it shall make a report of its findings and recommendations relating to the matter to the Mayor and Board of Alderpersons at the next regular meeting of the Board of Alderpersons following the public hearing.

(e) Upon hearing the recommendations of the Economic Development and Zoning board, the Mayor and Board of Alderpersons shall then take such action as they deem advisable. However, in the event of a protest against a change, duly signed by the owners of forty percent or more of the area to be affected by a proposed change, the amendment shall not become effective except by the unanimous, affirmative vote of all of the members of the board of Alderperson.

(Adopted June 9, 2015 - Ordinance 4 of 2015)

SECTION 19.25 ENFORCEMENT: PENALTIES.

In the event any building or structure is erected, structurally altered or maintained, or any building, structure or land is used in violation of this article, the proper municipal official, in addition to other remedies, may institute any appropriate action or proceedings to prevent the unlawful erection, structural alteration, maintenance and use, to restrain, correct, or abate the violation, to prevent the occupancy of the building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about the premises. The regulations shall be enforced by the mayor who is hereby empowered to order in writing the remedying of any condition found to exist therein or thereat in violation of any provisions of the regulations of this article. The owner or general agent of a building or premises where a violation of any provision of the regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where the violation has been committed or shall exist, or the general agent, architect, contractor or any other person who commits, takes part in, or who assists in any violation or who maintains

any building or premises in which any violation shall exist shall be guilty of a misdemeanor punishable by a fine of not less than \$10.00 and not more than \$25.00 or not more than 30 days jail sentence for each and every day that the violation continues, or both.

SECTION 19.26 THRU 19.33 RESERVED

ARTICLE C - FLOOD DAMAGE PREVENTION
ORDINANCE 1 of 2014
ARTICLE I

STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS

SECTION A. STATUTORY AUTHORIZATION

The Legislature of the State of Louisiana has in statute LRS 38:84 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Town of Blanchard, Louisiana, does ordain as follows:

SECTION B. FINDINGS OF FACT

(1) The flood hazard areas of the Town of Blanchard are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

SECTION C. STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;

(5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;

(6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and

(7) Insure that potential buyers are notified that property is in a flood area.

SECTION D. METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance uses the following methods:

(1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;

(2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;

(4) Control filling, grading, dredging and other development which may increase flood damage;

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

ARTICLE 2 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

ALLUVIAL FAN FLOODING - means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

APEX - means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

APPURTENANT STRUCTURE – means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure

AREA OF FUTURE CONDITIONS FLOOD HAZARD – means the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.

AREA OF SHALLOW FLOODING - means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD - is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate-making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

BASE FLOOD - means the flood having a 1 percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION – The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year – also called the Base Flood.

BASEMENT - means any area of the building having its floor subgrade (below ground level) on all sides.

BREAKAWAY WALL – means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

CRITICAL FEATURE - means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

DEVELOPMENT - means any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

ELEVATED BUILDING – means, for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

EXISTING CONSTRUCTION - means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before

January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FLOOD OR FLOODING - means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters.
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD ELEVATION STUDY – means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

FLOOD INSURANCE RATE MAP (FIRM) - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) – see Flood Elevation Study

FLOODPLAIN OR FLOOD-PRONE AREA - means any land area susceptible to being inundated by water from any source (see definition of flooding).

FLOODPLAIN MANAGEMENT - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOOD PROTECTION SYSTEM - means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a

"special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

FLOOD PROOFING - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY – see Regulatory Floodway

FUNCTIONALLY DEPENDENT USE - means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE - means any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or

(4) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:

(a) By an approved state program as determined by the Secretary of the Interior or;

(b) Directly by the Secretary of the Interior in states without approved programs.

LEVEE - means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

MANUFACTURED HOME - means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

MANUFACTURED HOME PARK OR SUBDIVISION - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MEAN SEA LEVEL - means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

NEW CONSTRUCTION - means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

RECREATIONAL VEHICLE - means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOODWAY - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

RIVERINE – means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

SPECIAL FLOOD HAZARD AREA – see Area of Special Flood Hazard

START OF CONSTRUCTION - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE – means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

SUBSTANTIAL DAMAGE - means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

VARIANCE – means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

VIOLATION - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION - means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

ARTICLE 3 GENERAL PROVISIONS

SECTION 19.34 LANDS TO WHICH THIS ORDINANCE APPLIES.

The ordinance shall apply to all areas of special flood hazard with the jurisdiction of the Town of Blanchard.

SECTION 19.35 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD.

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Caddo Parish and Incorporated areas," dated May 19, 2014, with accompanying Flood Insurance Rate Maps (FIRM) dated May 19, 2014, and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

SECTION 19.36. ESTABLISHMENT OF DEVELOPMENT PERMIT.

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance.

SECTION 19.37 COMPLIANCE.

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

SECTION 19.38 ABROGATION AND GREATER RESTRICTIONS.

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION 19.39 INTERPRETATION.

In the interpretation and application of this ordinance, all provisions shall be:
(1) considered as minimum requirements;

- (2) liberally construed in favor of the governing body; and
- (3) deemed neither to limit nor repeal any other powers granted under State statutes.

SECTION 19.40 WARNING AND DISCLAIMER OR LIABILITY.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

ARTICLE 4 ADMINISTRATION

SECTION 19.41 DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The Mayor and/or designee is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

SECTION 19.42 DUTIES & RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.
- (2) Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.
- (3) Review, approve or deny all applications for development permits required by adoption of this ordinance.
- (4) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Department of Transportation and Development, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

(8) When base flood elevation data has not been provided in accordance with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.

(9) When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(10) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the community first completes all of the provisions required by Section 65.12.

SECTION 19.43 PERMIT PROCEDURES

(1) Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

(a) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

(b) Elevation in relation to mean sea level to which any nonresidential structure shall be flood proofed;

(c) A certificate from a registered professional engineer or architect that the nonresidential flood proofed structure shall meet the flood proofing criteria of Article 5, Section B (2);

(d) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;

(e) Maintain a record of all such information in accordance with Article 4, Section (B)(1);

(2) Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

(a) The danger to life and property due to flooding or erosion damage;

(b) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(c) The danger that materials may be swept onto other lands to the injury of others;

(d) The compatibility of the proposed use with existing and anticipated development;

(e) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(f) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

(g) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;

(h) The necessity to the facility of a waterfront location, where applicable;

(i) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

SECTION 19.44 VARIANCE PROCEDURES

(1) The Appeal Board, as established by the community, shall hear and render judgment on requests for variances from the requirements of this ordinance.

(2) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

(3) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.

(4) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

(5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.

(6) Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section C (2) of this Article have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.

(7) Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Article 1, Section C).

(8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(9) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(10) Prerequisites for granting variances:

(a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(b) Variances shall only be issued upon: (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(c) Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(11) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent

use provided that (i) the criteria outlined in Article 4, Section D (1)-(9) are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

ARTICLE 5 PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION 19.45 GENERAL STANDARDS

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

(1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

(4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

(5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,

(7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

SECTION 19.46 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Article 3, Section B, (ii) Article 4, Section B (8), or (iii) Article 5, Section C (3), the following provisions are required:

(1) Residential Construction - new construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit

a certification to the Floodplain Administrator that the standard of this subsection as proposed in Article 4, Section C (1) a., is satisfied.

(2) Nonresidential Construction - new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are flood proofed shall be maintained by the Floodplain Administrator.

(3) Enclosures - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

(a) A minimum of two openings on separate walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

(b) The bottom of all openings shall be no higher than 1 foot above grade.

(c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(4) Manufactured Homes -

(a) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

(b) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the bottom of the longitudinal structural I beam of the manufactured home is elevated to or above the base flood

elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(c) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either:

(i) the bottom of the longitudinal structural I beam of the manufactured home is at or above the base flood elevation, or

(ii) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(5) Recreational Vehicles - Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of Article 4, Section C (1), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

SECTION 19.47 STANDARDS FOR SUBDIVISION PROPOSALS

(1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Article 1, Sections B, C, and D of this ordinance.

(2) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Floodplain Development Permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this ordinance.

(3) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B (8) of this ordinance.

(4) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(5) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

SECTION 19.48. STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES)

Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

(1) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified), or

(2) All new construction and substantial improvements of non-residential structures;

(a) have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or

(b) together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO Zone, or below the Base Flood Elevation in an AH Zone, level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

(3) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as proposed in Article 4, Section C are satisfied.

(4) Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

SECTION 19.49. SEVERABILITY

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 19.50. PENALTIES FOR NON COMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$ 10.00 or imprisoned for not more than seventy-two (72) hours or both, for each violation. Each day the violation continues shall be deemed a new violation. In addition, the violator shall pay all costs

and expenses involved in the case. Nothing herein contained shall prevent the Town of Blanchard from taking such other lawful action as is necessary to prevent or remedy any violation.

(Adopted March 11, 2014 – Ordinance 1 of 2014)

ARTICLE D BUILDING CODE REGULATIONS

SECTION 19.51 UNIFORM CONSTRUCTION CODE ADOPTED:

ARTICLE 1.

UNIFORM CONSTRUCTION CODE ADOPTED

Effective January 1, 2007, pursuant to LA. R.S. 40:1730.21, et seq., there is hereby adopted, for the purpose of regulating the construction, alterations, repair, equipment, use and occupancy and maintenance of every building or structure or any appurtenance connected or attached to such buildings or structures, excluding farm structures and recreational camps, the Louisiana State Uniform Construction Code is incorporated as fully as if set out at length herein and shall be controlling within the corporate limits of the city. The Louisiana State Uniform Construction Code shall consist of the following:

- (1) International Building Code, 2006 Edition, not including Chapter 1 - Administration, Chapter 11 - Accessibility, Chapter 27 - Electrical and Chapter 29 - Plumbing Systems. The applicable standards referenced in that code are included for regulations of construction within this state.
- (2) International Existing Building Code, 2006 Edition, not including Chapter 1 - Administration, and the standards referenced in that code for regulations of construction within this state.
- (3) International Residential Code, 2006 Edition, not including Parts I - Administrative, V - Mechanical, Vii - Plumbing and Viii - Electrical. The applicable standards referenced in that code are included for regulation of construction within this state. Appendix J. Existing Buildings and Structures, is also included for mandatory regulation. For the purposes of this Part, IRC R301.2.1.1 (Design Criteria) shall be amended as follows and shall only apply to the International Residential Code, 2006 edition:
 - (a) Amendment of R301.2.1.1 (Design Criteria)
 - (b) Item 6, The American Concrete Institute, Guide to Concrete Masonry Residential Construction in High Winds Areas, shall be added.
 - (c) Item 7, Institute for Business & Home Safety, Optional Code-plus Fortified for Safer Living, shall be added.
 - (d) Item 8, Federal Alliance for Safe Homes, Optional Code-plus Blueprint

for Safety, shall be added.

- (4) International Mechanical Code, 2006 Edition, and the standards referenced in that code for regulation of construction within this state.
- (5) The Louisiana State Plumbing Code ((Part XIV (Plumbing) of the State Sanitary Code)) as amended by the state health officer acting through the office of public health of the Department of Health and Hospitals. Nothing in this Part shall be construed so as to prevent the state health officer for enforcing Part XIV (Plumbing) of the State Sanitary Code, the enforcement of which is his statutory and regulatory responsibility.
- (6) International Fuel Gas Code, 2006 Edition, and the standards referenced in that code for regulation of construction within this state.
- (7) National Electrical Code, 2005 Edition.
(Adopted 12/12/2006 – Ordinance 7 of 2006)

ARTICLE E.

MOBILE HOME PARKS

SECTION 19.61. – DEFINITIONS.

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

- (a) “Board” shall mean the Board of Alderpersons for the Town or any successor legislative body for the Town.
- (b) “Building Code” shall mean the building code then in effect for the Town as adopted by the Board.
- (c) “Chief Building Official” shall mean the Mayor of the Town, or his or her designee.
- (d) “Clerk” shall mean the Town Clerk of the Town, or his or her designee.
- (e) “License” shall mean a license issued by the Town for the operation of a Mobile Home Park.
- (f) “Mobile Home” means any structure with walls of rigid, non-collapsible construction and an overall length in excess of twenty-eight (28) feet, transportable in one or more sections, built on a permanent chassis, and designed to be used as a dwelling when connected to the required utilities including plumbing, heating, air conditioning, and electrical systems contained herein. Any attached addition, enclosed porch, deck or patio, shall be considered part of the Mobile Home, and shall meet any setback requirements of this Article. A Mobile Home shall not include any vehicle defined below as a Travel Trailer.
- (g) “Mobile Home Park” or “Park” means a site on which more than one Mobile Home is situated or intended to be situated. No Travel Trailers will be permitted in a Mobile Home Park.
- (h) “Occupant” means any adult person or emancipated minor occupying a Mobile Home.

- (i) "Operator" shall mean the person to whom a license is issued.
- (j) "Owner" shall mean any individual, entity or other juridical person owning any Mobile Home, whether or not that Owner occupies that Mobile Home.
- (k) "Plot Plan" shall mean a map of a Mobile Home Park drawn to scale and showing (i) the location and size of trailer park; (ii) the location and size of all trailer sites and other park areas; (iii) detailed landscaping plans; (iv) plans for all utility connections, including Town utility meter location; and (v) name and address of the developer.
- (l) "Town" means the Town of Blanchard.
- (m) "Travel Trailer" means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling and to be towed behind a motor vehicle, being either of a gross weight of not more than four thousand five hundred (4,500) pounds or an overall length of not more than twenty-eight (28) feet.

SECTION. 19-62. – REQUIRED LICENSE.

It shall be unlawful for any person to operate and maintain a Mobile Home Park in the Town without first securing a License for such park from the Clerk and renewing such License annually on the anniversary date of any License. The License shall be displayed at all times in the office of the Mobile Home Park.

SECTION 19-63. – APPLICATION AND ENDORSEMENT.

An application for a License, or the annual renewal thereof, shall be filed with the Clerk, and shall be made by a written letter of request or on a form furnished by the Town and shall be signed by the owner of the land and by the operator of the Mobile Home Park, if different from the owner of the land. Before issuing any License, the Clerk shall submit the application to the Chief Building Official for the Town for endorsement indicating compliance with the applicable requirements of this Article or the indication in writing of conditions under which the License may be approved.

SECTION 19-64. – INITIAL PARK LICENSE.

Applications for an initial License of all Mobile Home Parks shall be accompanied by a Plot Plan approved by the Board. No License shall be issued for a Mobile Home Park unless the Mobile Home Park is situated in a zoning district that permits use of the land therein for a mobile home park, as the case may be.

SECTION 19-65. – INSPECTION REQUIRED.

Applications for an initial License for all Mobile Home Parks shall be conditioned on an inspection of the premises by the Chief Building Official for compliance with this Article and the approved Plot Plan for the Mobile Home Park in question.

SECTION 19-66. – FEES.

The fees for an initial License and all annual renewals thereof shall be as follows:

- (a) Initial Park License - \$300.00;
- (b) Annual Renewal of License - \$150.00.

Such applicable fee shall accompany any application for an initial License or for the annual renewal of any License.

SECTION 19-67. – APPLICABILITY.

(a) All Mobile Home Parks in the Town as they exist on October 1, 2012, shall not be affected by any of the requirements contained in this Article, except those requirements affecting utility metering, sanitation, tie-downs and foundations; however, any additions or expansions of existing Mobile Home Parks and any new Mobile Home Parks shall be subject to the full provisions of this Article including approval of the Board as to location and general layout of said Park.

(b) All of the provisions of this Article shall apply to all Mobile Home Parks situated beyond the corporate limits of the Town when such parks utilize Town water or sewerage or both.

SECTION 19-68. – PLOT PLAN APPROVAL BASED ON CONSIDERATION;
PRESENTING WITH BUILDING PERMIT APPLICATION.

In reviewing Plot Plans for new Mobile Home Parks or the expansion of or addition to existing Mobile Home Parks, the Board shall consider the minimum standards for improvement and development as set out in this Article, which shall be presented in every pertinent detail with the application for a License.

SECTION 19-69. – MINIMUM PARK AREAS; DENSITY.

Each lot for a Mobile Home in a Mobile Home Park shall be at least fifty (50) feet by one hundred (100) feet. Further, the minimum building setback lines for any Mobile Home as related to the front, side and rear lot lines, are established as follows: front – fifteen (15) feet; rear – fifteen (15) feet; and side – ten (10) feet (including the tongue of the Mobile Home). For the purposes of this Article, the “front” of the Mobile Home shall contain the main entrance of the Mobile Home; the “back” of the Mobile Home shall be the opposite side; and each “side” shall be the shorter exterior walls connecting the front and the back of the Mobile Home.

SECTION 19.70. – USE RESTRICTION.

No person shall use or occupy a Mobile Home as a place of business on any lot or tract of ground within the corporate limits of the Town, except as an office for a Mobile Home Park, a Mobile Home sales site, or a construction project; provided that any such unit so used is

connected to the public water and sewerage system and to all other utilities, as required in this Article, except that upon approval of the Chief Building Official, all other requirements contained in this Article may be waived.

SECTION 19.71. – ACCESSORY STRUCTURES.

Any Mobile Home Park may allow structures which are accessory to a Mobile Home on any lot, including without limitation storage buildings, roofed-over patios and carports, unless specifically prohibited by the Operator. If allowed in the Mobile Home Park, any accessory structure and placement thereof must comply with the rules and regulations of the Operator.

SECTION 19.72. – RESPONSIBILITIES OF OPERATOR.

(a) The Operator shall operate the Mobile Home Park in compliance with this Article and shall provide adequate supervision to maintain the Park, its facilities and equipment in good repair and in a clean and sanitary condition.

(b) The Operator shall notify the Occupants of all applicable provisions of this Article and inform them of their duties and responsibilities under this Article.

(c) The Operator shall supervise the placement of each Mobile Home on its mobile home stand, which includes securing its stability and installing all utility connections.

(d) The Operator shall maintain a register containing the names of all Occupants identified by lot number or street address. Such register shall be available to any authorized person inspecting the Mobile Home Park.

(e) The Operator shall maintain an occupational license with the Town to operate the Mobile Home Park as a business, in addition to the License required by this Article.

SECTION 19-73. – RESPONSIBILITIES OF OWNERS.

(a) The Owner shall comply with all applicable requirements of this Article and shall maintain his Mobile Home lot, its facilities and equipment in good repair and in a clean and sanitary condition.

(b) The Owner shall be responsible for proper placement of his Mobile Home on its mobile home stand and proper installation of all utility connections in accordance with the instructions of the Operator.

(c) Skirtings, porches, awnings, and other additions shall be installed only if permitted and approved by the Operator. When installed, they shall be maintained in good repair.

SECTION 19-74. – RESPONSIBILITIES OF OCCUPANTS.

(a) The Occupant shall comply with all applicable requirements of this Article and shall maintain, to the extent possible under any agreement with the Owner, the Mobile Home lot he occupies, its facilities and equipment in good repair and in a clean and sanitary condition.

(b) Skirtings, porches, awnings, and other additions shall be installed only if permitted and approved by the Operator and the Owner. When installed, such additions shall be maintained in good repair.

(c) The Occupant shall store and dispose of all his rubbish and garbage in a clean, sanitary and safe manner. Any garbage container shall be rodent proof, insect proof and watertight.

SECTION 19-75. – WATER, SEWERAGE AND GAS UTILITIES – INSTALLATION AND MAINTENANCE.

(a) Every Mobile Home Park shall contain a water, sewerage and gas piping system consisting of piping, equipment and appurtenances which shall be installed and maintained in accordance with the requirements of the Building Code. All Mobile Home Parks shall operate from a single Town water meter, which meter shall be assessed commercial rates for water consumption. Nothing in this section shall prohibit the operator from installing water meters to measure and bill for water based on usage by Occupants, so long as the Operator complies with any applicable rules and regulations of the Louisiana Public Service Commission with respect to such meters and rates.

(b) To the extent a Mobile Home Park already in existence on October 1, 2012 utilizes individual meters provided by the Town for each Mobile Home lot, the Town will install a master meter at the Town's expense, and the Operator will have the option to use the individual meters provided by the Town, but will be responsible for any and all maintenance, repair and replacement of individual meters. If the Operator elects to forgo the use of individual meters, then those individual meters should be returned to the Town.

SECTION 19-76. – PROHIBITED UTILITIES SYSTEMS.

Any Mobile Home equipped for the use of liquid propane or natural gas may continue the use of such system. However, the filling of such fuel bottles, tanks or containers on site or in the Mobile Home Park is strictly prohibited.

SECTION 19-77. – ELECTRICAL SYSTEMS.

(a) *General.* Every Mobile Home Park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with the requirements of the Building Code.

(b) *Power distribution lines.* Main power lines and all service shall be located underground or as recommended by the electric utility providing electric service to the Mobile Home Park and as approved by the Chief Building Official.

(c) *Installation requirements.* All electrical systems installed in every Mobile Home Park shall be in accordance with the most current edition of the National Electrical Code which is adopted and used as the electrical code of the Town.

SECTION 19-78. – FIRE PROTECTION.

(a) Mobile Home Parks shall be kept free of litter, rubbish and other flammable materials.

(b) Portable fire extinguishers rated for class A, B and C fires shall be kept in service buildings and at other locations conveniently and readily accessible for use by all Occupants, and shall be maintained in good operating condition. Extinguishers shall have not less than a Z-A rating.

(c) No open fires or burning shall be permitted.

(d) Fire hydrants, where required by the fire chief of any applicable fire district, shall be installed in accordance with the fire district's specifications and applicable state and federal law. It shall be the responsibility of the Operator to install and maintain any fire hydrants.

(e) Barbecue pits, fireplaces and wood-burning stoves shall be so located, constructed, maintained and used as to minimize fire hazards and smoke nuisance, both as to the property on which used and on neighboring property.

SECTION 19-79. – FOUNDATIONS AND TIE-DOWNS REQUIRED.

(a) Every Mobile Home located within the corporate limits of the Town shall be equipped with adequate foundations and tie-downs intended to secure such units against movement, settling and overturning, for the protection of life and property in accordance with applicable state and federal law.

SECTION 19-80. – REFUSE HANDLING.

(a) The storage, collection and disposal of refuse in any Mobile Home Park shall be conducted in such manner as to create no health hazards, rodent harborage, insect breeding areas, fire hazards, or water or air pollution.

(b) It shall be the joint responsibility of each Occupant and the Operator to ensure that all refuse containing garbage is stored in rodent proof, insect proof and watertight containers in sufficient number and capacity to care for such storage.

(c) The Operator shall arrange for the collection of refuse, garbage or trash from each Mobile Home in the Mobile Home Park by the Town or its designee, which collection shall occur not less often than weekly. Further, it shall be the responsibility of the Operator to provide any information required by the Town or its designee to perform or invoice for such refuse collection service, and to remit payment timely to the Town for such services rendered.

SECTION 19-81. – ENFORCEMENT.

The Chief Building Official is hereby authorized, empowered and directed to enforce the provisions of this Article. Upon presentation of proper credentials, the Chief Building Official may enter upon the premises of any Mobile Home Park, or any Mobile Home or other structure thereon, located in the Town, during reasonable hours, to perform any duty imposed upon him by this Article.

SECTION 19-82. – VIOLATIONS.

Any person violating any of the provisions of this Article shall be punished as provided in Section 27.7 of this Code, and each day's violation shall constitute a separate offense. **(Adopted December 11, 2012 - Ordinance 11 of 2012).**