

MINUTES OF THE  
BLANCHARD MAYOR AND TOWN COUNCIL  
REGULAR MEETING – AUGUST 8, 2017  
7:00 O’CLOCK PM

**Present:** Mayor Galambos, Alderpersons Lee, J. Fuller, Umling, Guin and Whittington, Chief Presswood, Atty. Tom Arceneaux, Perry Fuller-Utility Manager, Candy Foshee, Interim Town Clerk, CPS Deputy Rodney Spikes and other guests.

Meeting called to order by Mayor at 7:00 pm

Pledge of Allegiance led by Presswood

Invocation given by Lee

Questions and Statements of Citizens – Deputy Spikes discussed working with Blanchard PD on the many thefts in our area and said an arrest warrant would be issued soon.

Motion by Whittington, second by J. Fuller to approve the minutes of July 11, 2017. All voted yea.

OLD BUSINESS:

**Public Hearing Ordinance 7 of 2017 – An Ordinance Amending Section 19.23 of the Code of Ordinances of the Town of Blanchard Pertaining to the Issuance and Administration of the Building Permitting and Inspection Process in the Town of Blanchard, as Well as the Enforcement of the Construction Code Therein, and Otherwise Providing with Respect Thereto.**

Public hearing was opened at 7:04 pm. There being no comments, hearing was closed at 7:05 pm.

**Vote on Ordinance 7 of 2017.**

**ORDINANCE No. 7 of 2017**

**AN ORDINANCE AMENDING SECTION 19.23 OF THE CODE OF ORDINANCES OF THE TOWN OF BLANCHARD PERTAINING TO THE ISSUANCE AND ADMINISTRATION OF THE BUILDING PERMITTING AND INSPECTION PROCESS IN THE TOWN OF BLANCHARD, AS WELL AS THE ENFORCEMENT OF THE CONSTRUCTION CODE THEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, the Mayor and the Board of Alderpersons of the Town of Blanchard have determined that it is in the best interest of the Town to contract with the City of Shreveport for the issuance of building permits for any construction work occurring within the Town of Blanchard requiring a permit therefor and the inspection of those permitted premises for compliance with the State Uniform Construction Code and the Commercial Building Energy Conservation Code (Energy Code).

**WHEREAS**, La. R.S. 40:1730.24(A) provides that agreements between governmental entities to issue permits and enforce the State Uniform Construction Code in order to provide the services required thereunder may be made between such governmental entities.

**WHEREAS**, the Louisiana Constitution of 1974, Article 7, Section 14(C) provides that “for a public purpose, the state and its political subdivision may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private association, corporation or individual,” and the public purpose is described as the implementation of certain building code inspection requirements in accordance with Title 40 Public Health and Safety, Chapter 8 Building Regulations, Part

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IV-a State Uniform Construction Code and part IV-C Commercial Building Energy Conservation Code or Energy Code.

**WHEREAS**, the City of Shreveport has agreed to provide the services necessary for the Town to be in compliance with the Louisiana State Uniform Construction Code and the Commercial Building Energy Conservation Code through issuance of building permits as agent for and on behalf of the Town and the inspection of all town buildings in connection with such permits.

**WHEREAS**, in connection therewith, the Mayor and the Board of Alderpersons of the Town of Blanchard desire to amend, restate and re-enact Section 19.23 of the Code of Ordinances of the Town of Blanchard with respect to the issuance of building permits and the inspection of permitted premises.

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

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

### **SECTION 19.23 BUILDING PERMITS**

#### **Article 1. ADMINISTRATION AND ENFORCEMENT**

(a) **Contract.** The Town shall contract with the City of Shreveport to issue building permits on behalf of the Town and to enforce the State Uniform Construction Code, as adopted by the Town and set forth in Section 19.51 (“Code”), on behalf of the Town by performing inspection services in connection with said issued permits, in accordance with La. R.S. 40:1730.24(A).

(b) **Issuance of Permits and Performance of Inspections.** Pursuant to the intergovernmental agreement between the Town and the City of Shreveport as described in Article 1, Section (a) (“Agreement”), the City of Shreveport shall, on behalf of the Town, issue all permits required for work within the Town of Blanchard and perform all inspections on any permitted work.

(c) **Fees.** The City of Shreveport shall collect all fees in connection with the issuance of any building permit or any inspection performed within the Town of Blanchard, which fees are set by the City of Shreveport in accordance with Chapter 22 of the City of Shreveport Code of Ordinances. The current fee per inspection is \$65.00, which is subject to any annual adjustment of no more than 5% of the previous year’s fee by the City of Shreveport’s Chief Building Official through a written addendum to the Agreement. All fees must be paid to the City of Shreveport by the applicant or permittee prior to the performance of any work by the City of Shreveport. The Town shall not be required to pay any fees to the City of Shreveport and further shall not collect or accept any funds in connection with any permit issued or inspection made in the Town of Blanchard.

(d) **Enforcement.** The City of Shreveport is hereby authorized and directed, on behalf of the Town, pursuant to Agreement, to administer and enforce the provisions of the Code, as well as all Town ordinances, guidelines, and regulations relating to any permitted work. In any instance, the City of Shreveport 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 confirm with the intent and purpose of the Code.

(e) **Right of entry.** In any case where it is necessary to make an inspection to enforce the

provisions of the Code, or where the City of Shreveport, 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 City of Shreveport 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 City of Shreveport 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 City of Shreveport may secure entry through any of the remedies provided by law.

(f) Disconnecting Utilities. In the event that some problem or issue is found in the course of making the necessary reviews and inspections of the permitted work, upon the recommendation of the City of Shreveport, the Mayor or his designee shall have the authority to disconnect from service certain or all utilities to the permitted work or to the premises at which the permitted work is located, until the problem or issue has been rectified to the satisfaction of the City of Shreveport.

**Article 2. WORK REQUIRING PERMIT.** It shall be unlawful to construct, erect, structurally alter, substantially enlarge, substantially renovate, move, or demolish any building or structure, located within the Town of Blanchard, or to cause any such work to be done, whether that work is considered residential or commercial, without obtaining a properly issued permit for that work from the City of Shreveport. 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 structure.

**Article 3. CERTIFICATE OF OCCUPANCY.**

(a) Use and occupancy. A building or structure, the construction or other work of which requires a permit, should not be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof should 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 City of Shreveport has performed all necessary inspections pursuant to the Code, and finds no violations of the provisions of the Code or other applicable laws, the City of Shreveport will approve the permitted work for issuance of a Certificate of Occupancy and provide evidence of such approval to the Town. Once the Town has in hand such approval, the Town may 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 by the City of Shreveport on behalf of the Town 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 edition of the Code under which the permit was issued;
- 8) The use and occupancy of the structure;

- 9) The type of construction;
- 10) The design occupant load;
- 11) If an automatic sprinkler system is provided, whether the sprinkler system is required; and
- 12) 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 4. VIOLATIONS; STOP WORK ORDERS.**

(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 and located within the Town, or cause same to be done, in conflict with or in violation of any of the provisions of the Code.

(b) Notice of violation. Upon notification of such violation, the Mayor or his designee 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 any 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) Penalty. Any person, firm or corporation who erects, constructs, alters or repairs a building or structure, which work requires a permit as set forth hereunder, without obtaining such permit may be subject to penalties as may be set by the Town, including without limitation a stop work order and/or paying a fine to the Town for each offense of such violation or each day the offense continues (as applicable), as follows:

<b>Violation</b>	<b>Each Offense</b>
Violation of the Code, any permit, or any directive of the City of Shreveport in connection with a permit	\$100
Issuance of any stop work order	\$100

(e) Issuance of stop work order. Upon notice from the City of Shreveport to the Town that work on any permitted work 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 holder of the permit, the owner of the property where the permitted work is located, 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 permitted work may resume.

(f) 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.

(g) Enforcement of order. 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 immediately.

Said Ordinance having been introduced on the 11th day of July, 2017, by Whittington, notice of a public hearing having been published, said public hearing having been held, the title having been read and the Ordinance considered, on motion of Lee, seconded by Whittington, to adopt the ordinance, a roll call vote was taken and the following was had:

YEAS: Lee, Fuller, Guin, Whittington, Umling

NAYS: None

ABSENT: None

ABSTAIN: None

And Ordinance 7 of 2017 was adopted this 8<sup>th</sup> day of August, 2017.

**Public Hearing Ordinance 8 of 2017 – Amending Chapter 19, Section 19.19 (c) “Residence District Description and Permitted Uses” re motor home, travel trailer or camper use as a dwelling facility.**

Public hearing was opened at 7:05 pm. There being no comments, hearing was closed at 7:06 pm.

**Vote on Ordinance 8 of 2017.**

## **ORDINANCE 8 OF 2017**

**AN ORDINANCE AMENDING CHAPTER 19, SECTION 19.19(c) OF THE  
CODE OF ORDINANCES OF THE TOWN OF BLANCHARD  
PERTAINING TO RESIDENCE DISTRICT DISCRIPTION AND PERMITTED USES, AND  
OTHERWISE PROVIDING WITH RESPECT THERETO**

**WHEREAS**, the Mayor and the Board of Alderpersons of the Town desire to make certain adjustments to Chapter 19, Section 19.19 (c);

SECTION 1: Section 19.19 (c) of the Code of Ordinances of the Town of Blanchard is amended and reenacted to read as follows:

SECTION 19.19 (c) RESIDENCE DISTRICT DESCRIPTION AND PERMITTED USES.

(c) No mobile home shall be temporarily or permanently located on any property classified as R/P.

(1) A property owner may park a motor home, travel trailer or camper on premises classified as R/P.

(2) A motor home, travel trailer or camper shall not be utilized as a permanent dwelling facility on premises classified as R/P. In the event a motor home, travel trailer or camper will be used as a dwelling facility, it may be utilized as such on a **temporary** basis and for no longer than sixty (60) days. Additional time will be at the discretion of the Town Council.

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 that can be given effect without the invalid provisions, items of applications and to this end the provisions of this ordinance are hereby declared severable.

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

SECTION 4: This ordinance shall become effective immediately upon its adoption by the Town.

Said Ordinance having been introduced on the 11th day of July, 2017, by Whittington, notice of a public hearing having been published, said public hearing having been held, the title having been read and the Ordinance considered, on motion of Lee, seconded by Whittington, to adopt the ordinance, a roll call vote was taken and the following was had:

YEAS: Lee, Fuller, Guin, Whittington, Umling

NAYS: None

ABSENT: None

ABSTAIN: None

And Ordinance 8 of 2017 was adopted this 8<sup>th</sup> day of August, 2017.

**Discussion of personnel issues: Candy Foshee, Interim Town Clerk and Jennie Ashby, Interim Bookkeeper and Business Manager.**

Lee made motion to appoint Candy Foshee as Town Clerk, seconded by Fuller. All voted yea.

**Introduction by title only Ordinance 10 of 2017 – An Ordinance to enlarge the limits and boundaries of the Town of Blanchard, Louisiana of the entirety of Northport Boulevard located in Section 31, Township 19 North, Range 14 West, in Caddo Parish, Louisiana, and otherwise providing with respect thereto.**

Whittington introduced the following by title only to be voted on at the next council meeting:

AN ORDINANCE TO ENLARGE THE LIMITS AND BOUNDARIES OF THE TOWN OF BLANCHARD, LOUISIANA OF THE ENTIRETY OF NORTHPORT BOULEVARD LOCATED IN SECTION 31, TOWNSHIP 19 NORTH, RANGE 14 WEST, IN CADDO PARISH, LOUISIANA, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

### **REPORT OF DEPARTMENTS**

**Buildings and grounds** – Nothing to report.

**Streets and Rights of Way** – Nothing to report.

**Water Department** – J. Fuller reported on the East Cove job, it is going well and making good progress. He also commended the employees of Blanchard Utilities in the quick repair of the main line break today. It was a job well done and service was restored to the citizens in just one day. A boil advisory is in place until the DHH clears us, hopefully by the end of this week.

**Sewer Department** – Nothing to report.

**Police Department** – Chief reported on the status of Officers Anderson and Phill and A. Davis, clerk.

**Treasurer Report** – Auditor, Jennie Ashby-Bookkeeper and CPA firm working good together.

### **Comments by the Mayor**

Mayor gave an overview of the LMA conference held in Shreveport this year. Attended several workshops and collected some valuable information on property standards, abandoned and junk vehicles, water rates. The Louisiana Rural Water Association is preparing a free rate study for us that should be available within three months.

The mini farmer's market at town hall was a success. Planning will begin earlier next year.

We have received many compliments on the appearance of the grounds at the library, police department and town hall. This is due to the excellent work of Lonnie Jackson, employee of the town. All agreed everything looks great.

Motion by Whittington to adjourn, second by Lee. All voted yea. Meeting adjourned at 7:37 pm.

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Jim Galambos, Mayor

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Candy Foshee, Town Clerk